

82ND GENERAL ASSEMBLY

REGULAR SESSION

JUNE 26, 1981

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. The hour of nine having come and gone, the Senate will come
3. to order. Will the guests in our galleries please rise. Prayer
4. by Reverend Hugh P. Cassidy of Blessed Sacrament Church, Springfield.

5. REVEREND HUGH P. CASSIDY:

6. (Prayer by Reverend Cassidy)

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Reading of the Journal. Senator Johns.

9. SENATOR JOHNS:

10. Thank you, Mr. President. I move that reading and approval
11. of the Journals of Wednesday, June the 17th; Thursday, June the
12. 18th; Friday, June the 19th; Monday, June the 22nd; Tuesday, June
13. the 23rd; Wednesday, June the 24th; Thursday, June the 25th in
14. the year of 1981 be postponed pending arrival of the printed
15. Journal.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. You've heard the motion. Those in favor indicate by saying
18. Aye. Those opposed. The Ayes have it. The motion carries.

19. PRESIDENT:

20. Resolutions.

21. SECRETARY:

22. Senate Resolution 273, offered by Senators Berman, Carroll,
23. and all Senators, and it's congratulatory.

24. PRESIDENT:

25. Consent Calendar. Ladies and Gentlemen, if I can have your
26. attention. We have eighty-seven bills remaining on the Calendar
27. to be dealt with, eighty-seven. Twenty-five of which are appro-
28. priation bills. So, we will begin where we left off, we promised
29. Senator Becker he'd be first out of the chute. That is an honor,
30. I guess, yes. On the Order of House Bills 3rd reading, is House
31. Bill 302. Read the bill, Mr. Secretary. Just for the attention
32. of the membership, we will have Becker, Marovitz, Hall, Egan, Rock,
33. Hall, Sangmeister, so everybody's ready. Page 3 on the Calendar.

1. Becker, Marovitz, Hall, Egan, Rock, Hall, Sangmeister.

2. SECRETARY:

3. House Bill 302.

4. (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Becker.

8. SENATOR BECKER:

9. Thank you, Mr. President, and members of the Senate. House
10. Bill 302 does exactly as the Calendar reads. It makes an appro-
11. priation from Anti-Pollution Fund for a sewer replacement. This
12. bill passed out of Appropriations I by a vote of 17 to nothing.
13. Its companion bill, House Bill 301, passed out of Local Government
14. by a vote of 12 to nothing, passed in the Senate on the Agreed
15. Bill List by a vote of 58 to nothing. And I ask for your most
16. favorable consideration.

17. PRESIDENT:

18. Is there any discussion? If not, the question is, shall
19. House Bill 302 pass. Those in favor will vote Aye. Those opposed
20. will vote Nay. The voting is open. Have all voted who wish?
21. Have all voted who wish? Have all voted who wish? Take the
22. record. On that question, the Ayes are 57, the Nays are none,
23. none Voting Present. House Bill 302, having received the required
24. constitutional majority is declared passed. Senator Rhoads, for
25. what purpose do you arise?

26. SENATOR RHOADS:

27. Mr. President, I very seldom do this, but Senator Becker and
28. I had discussed last night. I would like to ask leave to be shown
29. as a hyphenated sponsor with Senator Becker on that bill.

30. PRESIDENT:

31. You've heard the request. Is leave granted? Leave is granted.
32. On the Order of House Bills 3rd reading, is House Bill 319. Read
33. the bill, Mr. Secretary.

HB 319
3rd Reading

1. SECRETARY:

2. House Bill 319.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Marovitz.

7. SENATOR MAROVITZ:

8. Thank you, very much, Mr. President, and Ladies and Gentlemen
9. of the Senate. House Bill 319 addresses a double taxation situation
10. involving municipalities and fire protection districts. It prohibits
11. municipalities which contain part of a fire protection district
12. from taxing the property in the district for service provided to
13. its residents by the fire protection district. And the amendment
14. that we added, specifically prevents a...a dual fire protection
15. tax to be levied by municipalities. I would ask for your affirma-
16. tive roll call. There was no opposition to this legislation.

17. PRESIDENT:

18. Is there any discussion? Senator Walsh.

19. SENATOR WALSH:

20. Mr. President, just to mention that our law firm represents
21. a fire protection district, but I do intend to vote Aye on this leg-
22. islation.

23. PRESIDENT:

24. Further discussion? If not, the question is, shall House
25. Bill 319 pass. Those in favor will vote Aye. Those opposed will
26. vote Nay. The voting is open. Have all voted who wish? Have all
27. voted who wish? Have all voted who wish? Take the record. On
28. that question, the Ayes are 52, the Nays are none, 2 Voting Present.
29. House Bill 319, having received the required constitutional majority
30. is declared passed. Senator Hall on 333. 349, Senator Egan. On
31. the Order of House Bills 3rd reading, House Bill 349. Read the bill,
32. Mr. Secretary.

33. SECRETARY:

1. House Bill 349.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Egan.

6. SENATOR EGAN:

7. Thank you, Mr. President, and members of the Senate. House
8. Bill 349 creates the Violent Crime Victims Assistance Act. Mr.
9. President, and members of the Senate, it was amended to remove
10. some of the funding provisions which would have taken some minor
11. amount of money out of traffic fines. That was the only objection
12. that I know to the bill. I'd be happy to answer any questions,
13. but it...the...the intent and the...the effect of the legislation
14. is to improve the attitudes towards victims and provide for faster
15. more complete victim recovery from the effects of crime through the
16. establishment of...of centers throughout the State. It is...there
17. is a method for funding it out of the fines that are levied against
18. convicted criminals. And I ask for your favorable consideration.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? Senator Grotberg.

21. SENATOR GROTBORG:

22. Yes, thank you. A question of the sponsor. Senator, I think
23. I'm a hundred percent for your bill, but the cost factor...your
24. explanation, could you do a...run it through again? What...what is
25. the anticipated cost just of administering the Act?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Egan.

28. SENATOR EGAN:

29. Well, the...the cost for administering the Act are taken from
30. the...the penalties...the fines that are levied against convicted
31. criminals. So, it...it pays for itself, in effect.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Grotberg.

1. SENATOR GROTEBERG:

2. Yes, I understand that. But is there a fiscal note on it,
3. the cost of...currently those monies go into other purposes...or
4. are we going to increase the penalties?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Egan.

7. SENATOR EGAN:

8. The fines that are levied, this money comes from the fines that
9. are levied in...in a formula amount. That money now goes...where
10. it goes, Senator, is...those are varied...the money goes to varied
11. places, but this does not increase the penalty, the judge establishes
12. that penalty when he makes the finding. And perhaps he would,
13. with this Act in mind increase the fine when he does so.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Sangmeister.

16. SENATOR SANGMEISTER:

17. Well, in effort to...to attempt to clarify that. I don't have
18. the figures in front of me, but in order to...to fund this thing,
19. there's...the money is coming from every felony conviction, X
20. amount of dollars is going to be added on as cost. Every misdemeanor
21. conviction, as I recall, is going to be an added amount of
22. cost. The original bill had that for every traffic offense, there
23. was going to be three dollars added to every traffic fine to fund
24. this. Amendment No. 1, which I feel certain is on the bill, took
25. off the three dollars for every traffic fine, but leaves ten dollars
26. per felony or...I...I don't want to quote the exact amounts, because
27. I don't have them in front of me. But every felony and every mis-
28. demeanor will have an additional cost assessed to it if this becomes
29. law, but we took off the traffic fines to fund this. So, there's
30. no new money, but that's going to be additional money for defendants
31. to pay.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Further discussion? Senator Egan may close.

HB 366
3rd Reading

1. SENATOR EGAN:

2. Well, I...I stand corrected. Senator Grotberg, the...the
3. conviction...the court...upon conviction, the court shall impose
4. in addition to the costs, twenty-five dollars for crimes of violence,
5. twenty dollars for other felonies or misdemeanors, and ten dollars
6. for certain violations of the Illinois Motor Vehicle, which are
7. the more serious traffic offenses. I ask for your favorable con-
8. sideration.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The question is, shall House Bill 349 pass. Those in favor
11. vote Aye. Those opposed vote Nay. The voting is open. Have
12. all voted who wish? Have all voted who wish? Take the record.
13. On that question, the Ayes are 47, the Nays are 7, 1 Voting Present.
14. House Bill 349, having received the required constitutional majority
15. is declared passed. 366, Senator Rock. Read the bill, Mr.
16. Secretary, please.

17. SECRETARY:

18. House Bill 366.
19. (Secretary reads title of bill)
20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator...Senator Rock.

23. SENATOR ROCK:

24. Thank you, Mr. President, and Ladies and Gentlemen of the
25. Senate. House Bill 366 as it is before us, as amended, creates
26. the Illinois Domestic Violence Act. And it provides essentially
27. for the issuance pursuant to the Marriage and Dissolution Act,
28. and the Criminal Code for orders of protection, to protect what
29. has come to be a rather recent phenomena of battered spouses. It
30. does, also, by virtue of an amendment that was added, establish
31. standards, pursuant to which an order of protection may or should be
32. granted by the Judiciary. This bill, as amended, came out of the
33. Judiciary Committee unanimously. I know of no serious objections.

1. It has received wide popular support. And I would urge your
2. favorable consideration.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there discussion? Is there discussion? The question is,
5. shall House Bill 366 pass. Those in favor vote Aye. Opposed vote
6. Nay. The voting is open. Have all voted who wish? Have all voted
7. who wish? Take the record. On that question, the Ayes are 55,
8. the Nays are none, none Voting Present. House Bill 366, having
9. received the required constitutional majority is declared passed.
10. House Bill 394, Senator Hall. House Bill 405, Senator Sangmeister.
11. Public auctioning. Read the bill, Mr. Secretary, please.

12. SECRETARY:

13. House Bill 405.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Sangmeister.

18. SENATOR SANGMEISTER:

19. Thank you, Ladies and Gentlemen of the Senate. This bill,
20. 405, is a Department of Conservation's bill which went through
21. the Agriculture Committee and was worked over up, down, sideways,
22. and every which way. And there are many, many things in this bill,
23. most of them very inconsequential. Amendment No. 1 that was on
24. the bill has been Tabled. Amendment No. 2 increases the terms of
25. leases for the Department of Conservation up to twenty-five years,
26. they were formerly ten years. Amendment No. 3 that was put on the
27. bill amends the Fish Code. Now, there's some...there's a lot of
28. things we did to the Fish Code, some great things like providing
29. for a Class A misdemeanor for illegally selling fish. Provides
30. that trammel nets need not be under immediate supervision from
31. May 1st to September 30th, I thought you wanted to know that.
32. It provides for a one day sport fishing license for Lake Michigan
33. for non-residents fee for two dollars. The cost of storing and

1. auctioning confiscated property shall not be deducted from the sale
2. price before it is deposited in the Wildlife and Fish Fund. All
3. kinds of little goodies in there. We also, in Amendment No. 4,
4. amended the Wildlife Code, with some important things like in-
5. creasing the minimum permit fee for non-resident wild turkey
6. permits from fifteen fifty to thirty dollars. It allows striped
7. skunks to be hunted at any time in the State of Illinois, hey hey,
8. how about that, all right. But...but that's how...all twenty-nine,
9. somebody said. But more important...more important it allows
10. trap stakes to be placed during the non-season, all right. Provides
11. for non-resident trapping license fees shall be reciprocal with
12. a hundred dollar minimum if he...any other state does not allow
13. Illinois residents to trap, then we're going to charge them two
14. hundred and fifty dollars. Well, that's right. It increases the
15. penalty for illegally buying or selling wild game to a Class A
16. misdemeanor, and other things. Amendment No. 5, we have a sit-
17. uation where people who sell wild game had opened up the frozen
18. packages and put a little clip on each one of the...the turkeys
19. feet or whatever it is, we'll now allow them to put the decals on
20. the outside of the frozen package, that was Amendment No. 4...5.
21. Amendment No. 6 increases the daily usage stamp for Canada goose
22. hunting areas from ten dollars to fifteen dollars. The idea is
23. that will raise twenty-eight thousand dollars in new money, and
24. it will allow the goose hunting areas to be kept open from one
25. to three o'clock. And a few other in...sundry things. I'd be
26. happy not to answer any questions, but would like a favorable
27. roll.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Bowers.

30. SENATOR BOWERS:

31. You...you pique my curiosity, believe it or not, with the
32. skunks. And...and as you've probably already guessed, I was
33. born and raised on a farm and we used to trap those little
animals, and frankly, they're kind of harmless little beasts, and

1. I'm curious as to why you want to, in effect, exterminate them
2. by hunting them the year round?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Sangmeister.

5. SENATOR SANGMEISTER:

6. Because they carry rabies.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Bowers.

9. SENATOR BOWERS:

10. What animal in the United States of America doesn't?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Sangmeister.

13. SENATOR SANGMEISTER:

14. Somebody said Democrats, and I'll agree with that.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator Bowers. Oh, we're not going
17. to cut you off on this one.

18. SENATOR BOWERS:

19. Well, I think this is terrible. They're a harmless little
20. animal, and of course they smell. You're going to try to exter-
21.minate them by hunting them the year round, I think that's awful,
22. Senator Sangmeister. You're...you're a beast, my goodness.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator...further discussion?

25. SENATOR SANGMEISTER:

26. Yes, but I don't have rabies. Anyway, if you're that concerned
27. about it, I suggest if it gets back for concurrence you go talk
28. to Representantive Wolfe, and tell him that you'd like that out of
29. the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Further discussion? The question is,
32. shall House Bill 405 pass. Those in favor vote Aye. Those opposed
33. vote Nay. The voting is open. Have all voted who wish? Have

1. all voted who wish? Take the record. On that question, the Ayes
2. are 48, the Nays are 8, none Voting Present. House Bill 405,
3. having received the required constitutional majority is declared
4. passed. UPI requests permission to take still photographs. Is
5. there leave? Leave is granted.

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12. (Following typed previously)

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HB 411
3rd reading
6-26-81

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. On the Order of House Bills 3rd reading, House Bill 411, Senator Bloom.

3. Read the bill, Mr. Secretary.

4. SECRETARY:

5. House Bill 411.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Bloom.

10. SENATOR BLOOM:

11. Well, thank you, Mr. President, and fellow Senators. These
12. are the amendments to the Open Meetings Act. I have caused,
13. yesterday, to be passed out not only a chart explaining what the
14. present Act does, and what House Bill 411 does, but also for
15. your edification and mine, pamphlet that is a guide to the present Open
16. Meetings Act. In many ways, House Bill 411 is less restrictive
17. and less burdensome on public officials than the present Act.
18. For example, the definition of a meeting is less restrictive than
19. the present court decisions and Attorney General opinions, which
20. say as little as two or more officials constitute a meeting.
21. 411 raises the number to a majority of a quorum, and this, of
22. course, increases as the size of the body increases. 411
23. specifies that there has to be a purpose and intent for the
24. meeting, so in your smaller communities, when the school board
25. members come together at the coffee shop to talk about the...the
26. failings of the coach at Friday nights game, it's not considered
27. an Open Meeting. 411 makes specific exceptions for the commission
28. form of government, you'll recall that amendment. The term
29. pending court proceeding is clarified to include probable or
30. eminent court action. The present interpretation of the present
31. Open Meeting Act says that action has to be...have been filed
32. before the exception to the Open Meetings Act could be used.
33. There's a provision made for emergency meetings, the present Open

1. Meetings Act makes no such provision. Action in the case of
2. a violation must be brought within forty-five days. Now there
3. is no time limit, now people can go into court and say you
4. didn't run a proper meeting at any time after the meeting.
5. I think that your public officials who have no problem with
6. the present Open Meeting Act would have no problem with this.
7. And I think that this goes a long way towards clarifying many of
8. the gray areas. I'll attempt to answer any of your questions,
9. otherwise seek a favorable roll call.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Channel 20 requests permission to film? Is leave granted?
12. Leave is granted. Senator Bruce.

13. SENATOR BRUCE:

14. Thank you, Mr. President, and members of the Senate. As
15. I mentioned on a bill, which I had, dealing with the Open Meetings
16. Act, this Act is a clarification of the existing Open Meetings
17. Act. We have already had on the question of what is an Open
18. Meeting several court opinions, this clearly defines what is
19. going to be a meeting, and when it must be open. It also
20. clarifies the action of courts and what exactly they can do when
21. allegations of a closed meeting or an improperly closed open
22. meeting have occurred. It insures that the public has the right
23. to know what occurs in closed meetings in that minutes are re-
24. quired. I think the bill has been thoroughly examined by the
25. House, we worked it over, and the Senate took a very, very close
26. look at it. I actually believe that it is a substantial improve-
27. ment on the present Act, but that does not mean that it's going
28. to be harsher on public officials, that it's going to be more
29. difficult for public officials, I think that once they pick
30. this bill up and read it, they will find that, in fact, we have
31. clarified the gray areas of the Open Meetings Act, and they will,
32. in fact, be glad that we passed this legislation.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Etheredge.

2. SENATOR ETHEREDGE:

3. Mr. President, Ladies and Gentlemen of the Senate. I rise
4. in support of this piece of legislation. There is one provision
5. within the...within this bill, however, which is...which I do
6. believe warrants noting, and that is the requirement that minutes
7. be kept in closed or executive sessions of public bodies. This
8. is a new requirement, and I have been very much concerned about
9. the...the potential that this requirement of...that minutes be
10. kept could lead to breaches of the confidentiality of these
11. sessions. So, I pursued this matter with the staff of the
12. Attorney General, and I have a...a...a letter from them in
13. which I just quote one sentence, "the pertinent provision,"
14. that is the provision that minutes be kept,"does not require
15. more than a general statement concerning the particular matter
16. discussed." In other words, if a closed meeting is held in order
17. to discuss the hiring of...or firing of personnel, then a simple
18. statement to that effect would be all that would be necessary
19. to be recorded in the...the minutes of that particular meeting.
20. And on this basis, that such a general statement would satisfy
21. the requirement that minutes be...be kept, then I...that allays
22. my...my concern about that requirement, and therefore I would
23. urge an Aye vote for the legislation.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Channel 17 seeks permission to film. Is leave granted?

26. Leave is granted. Senator Geo-Karis.

27. SENATOR GEO-KARIS:

28. Mr. President, and Ladies and Gentlemen of the Senate. If
29. you will recall, I opposed the prior Open Meetings Bill because
30. that one defined a meeting of any gathering of a majority of
31. quorum, of the members of the public body, at which the business
32. of the public body is discussed. As you recall, I gave you the
33. example, if I went to play golf with two members of a public

1. council, and all of the sudden we were to discuss something
2. about the municipal business, I would have to serve a notice,
3. which was not very fair. However, this bill is very specific
4. in it...in that it says a meeting refers to any gathering of
5. a majority of a quorum of the members of a public body, held
6. for the purpose of discussing public business. So, I feel more
7. justified in supporting this bill, because as a former
8. municipal township and school district attorney I can tell you
9. that this, at least, is a fairer approach, particularly with
10. the fact that it does provide for emergency meetings, it does
11. provide for closed meetings for...probably or eminent court
12. action, which sometimes can be avoided if it can be discussed
13. intelligently in a closed meeting. And I think the necessary
14. sanctions for protections are in this bill, and much as I don't
15. like a strict interpretation, but, at least, this is a fair in-
16. terpretation, otherwise you could...if you got too strict on
17. it, you would have censorship, and we don't want that. I think
18. this is a fair bill, and I move for its passage.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. A question to the sponsor.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. He indicates he'll yield.

25. SENATOR DAVIDSON:

26. Senator Bloom, does this bill in any way change or overturn
27. the Hoff-Barger case which has to do with the confidentiality
28. of an attorney meeting with a public or elected official?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Bloom.

31. SENATOR BLOOM:

32. No.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Channel 3 requests permission to film. Is leave granted?

2. Leave is granted. Senator Bowers.

3. SENATOR BOWERS:

4. My seatmate is saying oh, oh, but Senator Bloom, I think
5. I'm going to end up voting for this. But I want to point out
6. a couple of things that are going to happen, and Senator
7. Bruce, you and some of the downstate people ought to be aware
8. of this. This bill requires minutes to be kept of every meeting
9. including open meetings. Now, let me tell you what happens
10. in a small municipality if you don't already know. A couple
11. members of the board of trustees which may constitute the
12. public works committee, get together and they can very well be
13. farmers, they've got the public works guy in and they sit down
14. and they figure out how they're going to handle the...how they're
15. going to handle the sewer problem that's down on Main Street
16. or something of that nature. There's nothing formal about
17. it, they just...they just get together and do it. Now, you're
18. going to require minutes of those meetings, so...which means
19. that somebody's going to have to be in and take the minutes or...
20. you know, these aren't the kinds of people generally that do.
21. You're putting added burdens on them, I can't for the life of
22. me, as long as they're open meetings understand why you've got
23. to have minutes of them. Now, the other problem I have with this
24. bill, has to do with...with lawsuits ...for enforcement suits.
25. Now, you say on one hand that the plaintiff who files suit
26. against a public official can have their attorney's fees and
27. costs if they substantially prevail, okay, I don't know what
28. substantially prevail means, but in any event if they almost
29. win, I guess, they get their attorney's fees and costs. But
30. now turn it around, if...if they lose then they don't have
31. to pay attorney's fees and costs unless it's a frivolous law
32. suit. It seems to me you haven't equalized that at all, and
33. ...and you know, it's just totally unfair. Now, Senator Davidson,

1. with respect to the Barger case, I think Senator Bloom's answer
2. is correct, and I'm glad it's in the record. Because the
3. Barger case is very clear that...that attorneys...that the
4. lawsuits doesn't have to be pending, I don't even think it
5. says it has to be eminent. If there is a possibility of a law
6. suit they can get together with their attorney in anything...
7. more restrictive than that. As I read the Barger case, violates
8. the...the confidentiality. Now, if Senator Bloom is telling us
9. that the legislative intent is not to, in any way, restrict
10. the Barger case, then I think that's...that's very good to have
11. on the record. I'm going to vote for it with some serious
12. reservations I voted against the last one. This is obviously
13. better, but I tell you, we're going to be back tampering with
14. this thing again, I almost promise you that.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Mahar.

17. SENATOR MAHAR:

18. Thank you, Mr. President, and members of the Senate. The
19. other day, or a week or so ago, I made a serious attempt to make
20. a reasonably good bill a better bill, considerably better by
21. virtue of the fact that we include collective bargaining in
22. open meetings, and later on that amendment was removed from
23. the bill. Shortly after I had the amendment on, I received
24. calls from all the newspapers in my district: Mr. West, sitting
25. up there did a real good job of getting the message back to
26. the folks at home. And while they accused me of trying to kill
27. the bill, some of them did, some of them know me for a number
28. years in public service, that I wouldn't do that. They consid-
29. ered of me, that really collective bargaining should be in
30. the bill. They said it's most important that we have it, and
31. it's a very important loophole that must be closed. In addition
32. to that, I had discussion with the Attorney General, who, as you
33. very well know, this is a big bill for him, it's a plank in his

1. platform, I guess, or something. This had a lot of publicity
2. in the press, and he promised me that also collective bargaining
3. was something that ought to be included, and he would do every-
4. thing he could to see that we closed this loophole in the future.
5. And that a most important area where money is really being spent,
6. and a good share of the public's money is being spent behind closed
7. doors in collective bargaining, it would become open to the press.
8. And on that good faith that these people recognize that there
9. is a problem, and that maybe in defeating of the amendment that
10. I thought we had on there, we have made a point that this thing
11. must be considered, I, too, can reluctantly vote for the bill.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Berning.

14. SENATOR BERNING:

15. Thank you, Mr. President. Just as previous speakers have
16. indicated, much of their fears have been allayed, and are going
17. to vote for the bill, I also intend to cast an Aye vote. But
18. I have this one reservation that I think, had my suggestion been
19. accepted, would have minimized the problems that some of our
20. local districts are going to have, that simple word "meeting
21. "held," changed to "meeting called." It then becomes an official
22. meeting, and there would be justification for...for recording
23. of minutes and so on. It is going to be my position in the
24. future to attempt that simple change. Unfortunately, it was
25. not acceptable at this point, so reluctantly also, I am going
26. to vote for the bill as it now exists.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Grotberg.

29. SENATOR GROTBORG:

30. I have a question of the sponsor. I realize the General
31. Assembly is exempt from this bill, is that correct?

32. SENATOR BLOOM:

33. Yes.

1. SENATOR GROTBERG:

2. Does it...does that mean then, Senator Bloom, that I, as
3. I go home to my home office and have a substantive meeting, you
4. know, on issues, and it happens to all of us, and I call some
5. citizens in to talk about whether or not this City of St.
6. Charles is going to be able to rip off a three million dollar
7. sewer on Ogden Avenue. If I have such a meeting and...does my
8. exemption follow me wherever I go, and everything I do? And
9. I want the record to show your answer, and that's why I'm asking
10. it.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Bloom.

13. SENATOR BLOOM:

14. The exemption follows you wherever you go, until you get
15. to a commission, and I believe...I forget what section of the
16. Constitution it is, it says that you have to get two-thirds of
17. both bodies on your commission to close the meetings to the
18. public. But as far as when you meet back in the district, no,
19. you don't have to send a notice to the papers, you can conspire
20. at will.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Grotberg.

23. SENATOR GROTBERG:

24. I appreciate your response. I was not referring to commissions,
25. but I can call any kind of a meeting of any group of people, whether
26. they're elected or not at my own bequest, and be exempt?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Bloom.

29. SENATOR BLOOM:

30. Well, the Act would apply to them and not to you. If you
31. called a meeting of, let's say, your city council, they'd be covered
32. but you wouldn't.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Grotberg.

2. SENATOR GROTBORG:

3. Now then, Mr...President, and Senator Bloom, I would like
4. the record also to...to reflect that each of us as we go home
5. and the traffic committee of the city council comes over to
6. have coffee with me in my office, as they do about twenty times
7. a year, whether it's in St. Charles...or Pontiac, that we
8. are not exempt from this Act, and that the shirrtail effect
9. of the Act follows you wherever you go as long as you're meeting
10. with several members of an organized committee. If I am wrong,
11. I would like the record to show where I am wrong.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Bloom.

14. SENATOR BLOOM:

15. Under the present Open Meetings Act, if two members of the
16. city council come over to you, or as few as two, depending on
17. the size of the council, they are subject to the Open Meetings
18. Act, they have the affirmative duty of following the guidelines
19. of the present Open Meetings Act, you're clean,John.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Grotberg. Senator Buzbee.

22. SENATOR BUZBEE:

23. Thank you, Mr. President. This bill, quite frankly, is much
24. ado about nothing. But as...as...there was not a problem so we
25. ...we had to create one so we could pass a law to...to effect
26. the nonproblem. But as President Rock said yesterday, the tank
27. geth wider, and everybody standing up saying I'm going to reluct-
28. antly vote for it, I'm going to vote for it too, for the same
29. reasons you are, I'm afraid of the press, just like you are. I
30. ...I...I fought...I fought the press one time, and there's no
31. way that you can lose...you can win in one of those deals where
32. you're...where you're in...in...in the stinking contest and...and
33. the other guys got access to all the newsprint in the world,

1. there's just no way you're going to win on that, I've found
2. that out very...it was...it was a hard way to find out, but it...
3. so, I'm...I'm going to vote for it, because I'm afraid of the
4. press. It's a horrible bill.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? Senator Donnewald.

7. SENATOR DONNEWALD:

8. Well, I...I don't see why this wasn't put on the Agreed
9. Bill List, and then we wouldn't have had all these speeches, and
10. I move the previous question if it...

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. We have one other speaker that wishes to speak, your seat-
13. mate, Senator Bruce. Senator Bruce.

14. SENATOR BRUCE:

15. Well, just in...in way of clarification for the individuals
16. concerned about the downstate minutes. I think the minutes
17. question we have...put it in the Statute in such a clear fashion
18. that all they have to do is put...time and date, who was there
19. and, in general, what was discussed. It isn't a requirement that
20. you go through every actual thing that happened. Date, time and
21. place, members present and absent, and a general description of
22. all matter proposed, discussed, or decided, and a record of the
23. votes taken. So, I mean, if three or four of you get together
24. in a downstate community to discuss a sewer problem, and it...
25. it, in fact, becomes an open meeting, someone on the back of
26. a piece of paper can write the minutes and give it to the city
27. clerk. I don't...I don't think that that would be a problem.
28. Secondly, for Senator Grothberg, I think that...the constitutional
29. declaration is that Session of each House of the General Assembly
30. and meetings of committees, joint committees, and Legislative
31. commissions shall be open to the public. All of those have
32. to be created by this Body, and if you have an advisory board
33. or panel, not created by this Body, I don't think that that

1. particular group is open, in the definition of public bodies, it
2. says of the State, advisory commissions of the State. So, I think
3. that since you do not represent the State in its entirety, that meetings
4. that you have of advisory nature will not be. Of course, Senator
5. Bloom's point is well taken, that when you get...if you get
6. three, or four, or five members of the city council together,
7. the exemption that you have does not apply to them, they have
8. their own problems with the Open Meetings Act. So, I...I think
9. almost all the problems that existed in any other legislation
10. have been clarified in this legislation, and I...I think Senator
11. Buzbee is wrong, I think this is a very good bill. And Senator
12. Buzbee, the old expression is, that you never get into a fight
13. with anyone who buys ink by the barrel. The...this is a good
14. bill, and I think that it ought...it ought to pass.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Bloom may close debate.

17. SENATOR BLOOM:

18. Thank you, very much, for your...tolerance and forbearance.
19. I'd ask for a roll call.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. I wish to remind the members that this bill is a preemptive
22. measure, and it will take thirty-six votes to pass. All those
23. in favor...all those in favor of House Bill 411 passing, will vote
24. Aye. Those opposed will vote Nay. The voting is open. Have
25. all voted who wish? Have all voted who wish? Take the record.
26. On that question, the Ayes are 48, the Nays are 6, none Voting
27. Present. House Bill 411, having received the constitutional
28. majority is declared passed. House Bill 427, Senator Demuzio.
29. Read the bill, Mr. Secretary.

30. SECRETARY:

31. House Bill 427.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Demuzio.

3. SENATOR DEMUZIO:

4. Thank you, Mr. President, and Ladies and Gentlemen of the
5. Senate. House Bill 427 does provide money out of the Agricultural
6. Premium Fund for several counties to finish or start up their soil
7. map studies. Three hundred and sixty-two thousand was provided
8. in Section 1, however, the department had already budgeted a little
9. over two hundred and eighty-four thousand, and therefore, Amendment
10. No. 1...Committee Amendment No. 1 reduced that to seventy-seven
11. thousand, and Section 2 for nine additional counties that signed
12. agreements prior to July the 1st of 1980. There are several members
13. on both sides of the aisle that have counties that are involved
14. in both of these projects. And I would ask for your favorable
15. support.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there discussion? Senator Schaffer.

18. SENATOR SCHAFFER:

19. Well, Senator Demuzio, I'm not sure, I vaguely recall that
20. my county did this, but that we paid for it ourselves. I don't
21. think we...I don't know that we got the State to pick up the tab.
22. Correct me if I'm wrong, I'm just curious. Did...did most of
23. the counties of the State, in fact, either do this substantially
24. at their own cost, and the counties that are left are the...the
25. ones that have chosen not to do it at their cost, and now they're
26. down here looking for the State to pick up the tab, am I off target
27. there?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Demuzio.

30. SENATOR DEMUZIO:

31. Well, Senator, the...the department has...has budgeted this
32. year approximately two hundred and eighty-five thousand for eleven
33. counties that signed agreements...prior to July 1st of...of 1980.

1. There was a...a match, it was twenty-five percent...I'm sorry, it
2. was a fifty percent Federal and a fifty percent county. I, frankly,
3. can't address myself to your county because I have no idea what...
4. in which manner and how you came about the soil surveys for your
5. own community.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Schaffer.

8. SENATOR SCHAFFER:

9. I'm getting coached from both sides here. What I'm getting
10. is a headache. I am told that I am substantially correct, that
11. most of the counties in the State did, in fact, do this, not totally
12. at their...the fifty percent Federal component in the past was
13. fifty-fifty, now we want the State to pick up twenty-five so that
14. the counties that have dragged their heels on this project are,
15. in fact, going to get off at half of the cost as the ones who up
16. front say hey, this is important, let's go do it. I am told it
17. is not, in fact, in the Governor's budget, although whether it's
18. Governor's One, Two, or Three budget, I'm not quite clear. I think
19. it's a very important thing, but I'm not sure how after the tax-
20. payers of my county have paid for fifty percent of the cost of
21. this project, and the Feds paid fifty, why I'm going to let the
22. other counties get twenty-five percent of the local cost share
23. from the State. I...it was good for McHenry County to pay fifty
24. percent of the cost, and Kane, and Lake, and all the rest of
25. those. I'm not at all sure why the ones that for varying reasons
26. dragged their heels, should get this windfall.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Further discussion? Senator Thomas.

29. SENATOR THOMAS:

30. Thank you, Mr. President. Senator Demuzio, can you list the
31. eleven counties that are affected by this?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Demuzio.

1. SENATOR DEMUZIO:

2. Brown, Bureau, Calhoun, Cass, Coles, Effingham, Mercer,
3. Peoria, Piatt, Tazewell, and Vermilion. And the nine counties
4. which are provided in Section 2, will be Ford, Knox, Macon,
5. Macoupin, Monroe, Morgan, Scott, Perry, and Randolph.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Thomas, did you...did you close?
8. Senator Buzbee.

9. SENATOR BUZBEE:

10. Yes, as...as the sponsor of this with Senator Demuzio, if
11. it's necessary, we would be willing to amend Cook in if...if we
12. need the votes. But...Senator Schaffer, you are essentially correct
13. in what you said, except that it has now been determined by the
14. Department of Conservation, as a part of public policy established
15. by the Executive Branch of this State, that we need to go about the
16. business of getting this done, that it has to be accomplished
17. very quickly. And so, to get it accomplished, it was determined
18. that some State funds should be made available to those counties
19. that simply have not had the funds available in the past to com-
20. plete these surveys, and the Department of Agriculture, and the
21. Department of...of Conservation...the Department of Agriculture
22. has been very supportive of this concept. You'll recall that
23. last year in the Appropriations Committees we had somewhat of a
24. battle over this, the Department of Agriculture was requesting
25. it. So, what...what this does now, is for these...remaining counties,
26. it says that you'll still get your fifty percent dollars, and you
27. put up twenty-five percent local dollars, and the State will put
28. up the other twenty-five percent. It has to be accomplished, the
29. Department of Agriculture wants it accomplished, and we're simply
30. giving them the ability to...to accomplish this, and it's a very
31. small amount of money for a very worthwhile, very necessary survey
32. so that the whole State of Illinois, we will know where we are
33. as far as soil and water conservation is concerned. And I would

1. ask for an affirmative vote.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Grotberg.

4. SENATOR GROTBORG:

5. Well, again, just forgetting about the cause, there's so
6. many just causes, but if you will thumb through the Calendar you
7. will find several things that used to be called pork or chicken,
8. this cost may be more worthy than the average. But at two hundred
9. and eighty thousand here, a million dollars there, the next thing
10. you know, it adds up, and it's all over and above the budget of
11. the people of Illinois. There are amendments...come on the Floor
12. in a couple of hours for millions more, and I would just advise
13. us as responsible Senators to start killing some of these things
14. in the bud, and...everybody's going to get hurt. We're looking
15. for money for children, we're looking for money for the helpless,
16. the public aid budget is coming up, and there's going to be a
17. blood letting on 2nd reading on public aid. And these are the
18. same dollars, everybody's dipping out of the General Revenue
19. Fund, everybody's got their dipper, and they're all down at the
20. bottom of the barrel, and the barrel is almost empty as far as
21. available general revenue...is concerned. I would just appreciate
22. turning down a few of these requests beginning with this one.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. Well, Senator Grotberg, it was a very nice speech, I'll coach
27. you if...when we...meet in the back room pretty soon why we can rehearse
28. each other's speeches and...and get critiques and so forth. But you
29. were wrong. It comes out of the Ag Premium Fund, it doesn't come
30. out of the General Revenue Fund. It comes out of the Ag Premium
31. Fund. Now, of course, I know what you're going to say next, any-
32. thing that's left in the Ag Premium Fund rolls over to the General
33. Revenue Fund, but it does come out of the Ag Premium Fund.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Schaffer.

3. SENATOR SCHAFFER:

4. Well, Senator Buzbee, I...I...I don't know if stealing it from
5. the 4-H kids makes it any more attractive. But, frankly, if we
6. do this, I'm just going to tell my counties forget about State
7. mandates, just drag your heels long enough and the State taxpayer
8. will be asked to pick up the tab. The County of Cook, most of
9. the counties of the State, through their property tax, paid their
10. share and now we have a few counties that for varying reasons, and
11. I might add, a couple of those counties you mentioned aren't exactly
12. proverty pockets. They just haven't done it. And I think, frankly,
13. if the County of Cook can put a property tax on welfare mothers to
14. pay for this, I sure don't think it's unreasonable to ask these
15. counties downstate to pick up their share.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Demuzio may close.

18. SENATOR DEMUZIO:

19. There's several counties on both sides of the aisle, let's
20. just have a roll call.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The question is, shall House Bill 427 pass. Those in favor
23. vote Aye. Those opposed vote Nay. The voting is open. Have all
24. voted who wish? Have all voted who wish? Have all voted who wish?
25. Take the record. On that question, the Ayes are 29, the Nays are
26. 26...the sponsor asks that further consideration of House Bill
27. 427 be postponed. It will be placed on the Order of Postponed
28. Consideration. 437, Senator DeAngelis. Read the bill, Mr.
29. Secretary, please.

30. SECRETARY:

31. House Bill 437.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator DeAngelis.

3. SENATOR DeANGELIS:

4. Thank you, Mr. President, and members of the Senate. This
5. is the Auditor General's appropriation bill, it appropriates eight
6. million seven hundred and seventy-five thousand seven hundred and
7. eighty-eight dollars for the Auditor General's Office. This amount
8. is two hundred and twenty-two thousand less than originally re-
9. quested by the Auditor General.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? The question is, shall House Bill 437
12. pass. Those in favor vote Aye. Those opposed vote Nay. The
13. voting is open. Have all voted who wish? Have all voted who
14. wish? Take the record. On that question, the Ayes are 53, the
15. Nays are none, none Voting Present. House Bill 437, having re-
16. ceived the required constitutional majority is declared passed.
17. House Bill 439, Senator Coffey. 447, Senator Egan. Read the
18. bill, Mr. Secretary, please.

19. SECRETARY:

20. House Bill 447.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Egan.

25. SENATOR EGAN:

26. Thank you, Mr. President, and members of the Senate. The
27. appellate defender total budget is two million nine eighty-eight
28. point three. The Service Commission is one million six zero two.
29. Out of General Revenue there's a million thirty-nine point five.
30. Out of others five hundred and sixty-two point five. The total
31. of both these agencies, General Revenue four million twenty-seven
32. eight, out of other funds five sixty-two five hundred. The...the
33. bill has been through the appropriate...appropriation process by

1. agreement on both sides. And I ask for your favorable consideration.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there discussion? The question is, shall House Bill 477
4. pass...447 pass. Those in favor vote Aye. Those opposed vote Nay.
5. The voting is open. Have all voted who wish? Have all voted
6. who wish? Take the record. On that question, the Ayes are 37...
7. 38, the Nays are 11, none Voting Present. House Bill 447, having
8. received the required constitutional majority is declared passed.
9. 487, Senator Buzbee. Read the bill, Mr. Secretary, please.

10. SECRETARY:

11. House Bill 487.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Buzbee.

16. SENATOR BUZBEE:

17. Thank you, Mr. President. House Bill 487 was introduced into
18. the Senate to make changes to the Juvenile Court Act, and the
19. Abused and Neglected Child Reporting Act. The amendment mandates
20. that before a child can be released from a shelter care facility,
21. the courts must find that placement is no longer necessary for
22. the protection of the minor. It places into the Juvenile Court
23. Act, the authority of a court to allow a physician or hospital
24. to provide medical, dental, or surgical care during temporary
25. custody, detention, or shelter care. It allows a physician who
26. takes temporary protective custody of an abused child to provide
27. emergency treatment if the physician is acting in good faith, and
28. the time necessary to obtain a court order will likely result in
29. the death or permanent harm to the minor. We amended the bill in
30. committee to correct and clarify the abuse law definition of sexual
31. abuse, permits access to child abuse records by out-of-State
32. child welfare workers investigating a report of child abuse in
33. their state. Permits unfounded child abuse reports to be remain

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2nd reading

1. unexpunged if the subject of the report requests DCFS to keep the
2. record alive to avert future harrassment. And it references with-
3. in the Abuse Law the current disorderly conduct offense for
4. harrassing people by filing false reports to DCFS Child Abuse
5. Systems. And then in Floor Amendment No. 3, which we adopted,
6. it involves day care rate setting. It specifically includes day
7. care in the Grotberg provision for reimbursement for child care
8. services. The amendment also adds language into the Grotberg
9. provision to assure that day care agencies which are created
10. in Senator Bloom's and Representative Peters' Child Care Act
11. Bills will be paid for, administrative and licensing duties which
12. they take over from DCFS. And then Senator Berman put an amendment
13. on, which removes immunity from civil or criminal prosecution from
14. not only physicians providing emergency treatment to victims of
15. child abuse, but it goes further into existing law to remove
16. immunity for police, doctors, and social workers who take tem-
17. porary protective custody of abused children. And we have...that
18. language was straightened out in an agreement between the
19. department, Senator Berman, and myself. And I think the bill is in
20. good shape now. And would ask for a favorable roll call.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? The question is, shall House Bill 487 pass.
23. Those in favor vote Aye. Those opposed vote Nay. The voting is
24. open. Have all voted who wish? Have all voted who wish? Take
25. the record. On that question, the Ayes are 47, the Nays are none,
26. none Voting Present. House Bill 487, having received the required
27. constitutional majority is declared passed.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. House Bill 491, Senator Davidson. Read the bill...House Bill
30. 492, Senator...House Bill 492, Senator Bruce. Read the bill, Mr.
31. Secretary.

32. (END OF REEL)
33.

1. SECRETARY:

2. House Bill 492.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Bruce.

7. SENATOR BRUCE:

8. Thank you, Mr. President. This is the School Aid Formula
9. funding provision. It's a bill that has one billion five hundred
10. and nineteen million nine hundred and ninety thousand dollars,
11. which is an increase of only twenty-five million dollars over the
12. FY'81 funding level. The amount contained here increases school
13. aid funding by approximately seven percent, and it funds the
14. formula as it's presently contained in House Bill 1353. We are
15. over the Governor's budget, in the Senate we added seven million
16. dollars. The House version, the Governor had asked in his first
17. allocation for one billion five hundred and twenty-eight million,
18. the bill is going to leave the Senate with a billion five hundred
19. and twenty-two million dollars. And I would ask for your favorable
20. consideration.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there any discussion? Senator Grotberg.

23. SENATOR GROTBORG:

24. Well, again, sports fans, this is where we should sort it
25. out. Thank you, Mr. President. This is the twenty million that's
26. over the Governor's budget that we've been talking about. Up till
27. a few days ago we probably could have gone along with this, but
28. we find now that the savings that we've been trying to accomplish to
29. get to the twenty million are not there, there seems to be no
30. end to the appetite for education. And I would just warn every-
31. one here that that's exactly what it is, it's twenty million
32. dollars over the Governor's budget. The Governor gave significant
33. increase in his budget allowance for education, this is over and

1. above and beyond that. So, don't feel compelled to vote for it
2. at all.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there further discussion? If not, Senator Bruce may close.

5. SENATOR BRUCE:

6. Well, I would just ask for your favorable vote.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. The question is, shall House...

9. SENATOR BRUCE:

10. Despite Senator Grotberg's statement.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. The question is, shall House Bill 492 pass. Those in favor
13. will vote Aye. Those opposed vote Nay. The voting is open.

14. Have all voted who wish? Have all voted who wish? Have all voted
15. who wish? Take the record. On that question, the Ayes are 31,
16. the Nays are 26, none Voting Present. House Bill 492, having
17. received the constitutional majority is declared passed. For
18. what purpose does Senator Grotberg arise?

19. SENATOR GROTBERG:

20. I think it's time we found out if everybody's here, and I'd
21. like to verify that roll call, the affirmative.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. I'm sure Senator, that this one will probably do it for the
24. day. Will all the Senators be in their seats. Senator Grotberg
25. has requested a verification of the roll call. Will all the
26. Senators be in their seats. Will the Secretary please call the
27. affirmative roll.

28. SECRETARY:

29. The following voted in the affirmative:

30. Berman, Bruce, Buzbee, Carroll, Collins, D'Arco, Dawson, Degnan,
31. Demuzio, Donnewald, Egan, Etheredge, Gitz, Hall, Johns, Jeremiah
32. Joyce, Jerome Joyce, Lemke, Marovitz, McLendon, Nash, Nedza, Nega,
33. Netsch, Newhouse, Rupp, Sangmeister, Savickas, Taylor, Vadalabene,
Mr. President.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)
2. Is...Senator Grotberg do you question any of the affirmative
3. votes?
4. SENATOR GROTBORG:
5. Yes, Senator Degnan?
6. PRESIDING OFFICER: (SENATOR SAVICKAS)
7. Senator Degnan is on the Floor.
8. SENATOR GROTBORG:
9. And Senator Egan, of course, is close by, yes. Senator Nash?
10. PRESIDING OFFICER: (SENATOR SAVICKAS)
11. Senator Nash is in his seat.
12. SENATOR GROTBORG:
13. Senator Nedza?
14. PRESIDING OFFICER: (SENATOR SAVICKAS)
15. Senator Nedza is in his seat.
16. SENATOR GROTBORG:
17. Senator Nega?
18. PRESIDING OFFICER: (SENATOR SAVICKAS)
19. Senator Nega is in his seat.
20. SENATOR GROTBORG:
21. Senator Chew did not vote. Senator Etheredge?
22. PRESIDING OFFICER: (SENATOR SAVICKAS)
23. Is Senator Etheredge on the Floor? Senator Etheredge?
24. Senator Etheredge on the Floor? Strike his name from the record.
25. SENATOR GROTBORG:
26. Senator Newhouse?
27. PRESIDING OFFICER: (SENATOR SAVICKAS)
28. Senator Newhouse on the Floor? Senator Newhouse? Senator
29. Newhouse? Strike his name from the record.
30. SENATOR GROTBORG:
31. Senator Dawson?
32. PRESIDING OFFICER: (SENATOR SAVICKAS)
33. Senator Dawson is in his seat.

1. SENATOR GROTEBERG:

2. Thank you.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. There's been a...Senator Rock.

5. SENATOR ROCK:

6. Yes, I request a verification of the negatives, I want to find
7. out who voted against the school children of this State.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. There's been a request for verification of the negative vote.
10. Will the Secretary please read the negative vote.

11. SECRETARY:

12. The following voted in the negative:

13. Becker, Berning, Bloom, Bowers, Coffey, Davidson, DeAngelis,
14. Friedland, Geo-Karis, Groteberg, Keats, Kent, Mahar, Maitland,
15. McMillan, Nimrod, Ozinga, Philip, Rhoads, Schaffer, Simms, Sommer,
16. Thomas, Totten, Walsh, and Weaver.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Rock, do you question the presence of any negative
19. vote?

20. SENATOR ROCK:

21. Senator Maitland?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Maitland is in his seat.

24. SENATOR ROCK:

25. How about the Minority Spokesman for the school children of
26. this State, Senator Davidson?

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Davidson is on the Floor.

29. SENATOR ROCK:

30. And...now I can't believe from River Forest, Senator Walsh on
31. the Floor?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Walsh is standing on the Floor.

HB 493
3rd reading

1. SENATOR ROCK:

2. Senator Etheredge on the Floor? Oh, that's the other side of
3. the roll call.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Etheredge is back on the Floor, his name will go back
6. on the roll call. Senator Newhouse is back on the Floor, his name
7. will be added back to the roll call. On a verified roll call,
8. the Ayes are 31, the Nays are 26, none Voting Present. House Bill
9. 492, having received a constitutional majority is declared passed.
10. House Bill 493, Senator Rock. Read the bill, Mr. Secretary.

11. SECRETARY:

12. House Bill 493.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Rock.

17. SENATOR ROCK:

18. Thank you, Mr. President, and Ladies and Gentlemen of the
19. Senate. House Bill 493, appropriates three hundred and eighty-
20. two million dollars for the Categorical Grant Program for the
21. school children of this State. It has been amended in the Senate
22. at a level of about five million dollars over the way the House
23. had it. I would urge your favorable consideration.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there any discussion? Senator Schaffer.

26. SENATOR SCHAFFER:

27. Well, this bill is twenty-five million over the budget level,
28. and, you know, fair is fair. I'm intrigued as to what we've done
29. in the Senate though, and...and...

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Rock.

32. SENATOR ROCK:

33. Just...just a point of order, so that there's no misunder-
standing, this bill is not twenty-five million dollars over the

1. budget level, now that's simply erroneous.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Schaffer.

4. SENATOR SCHAFFER:

5. I've...I've learned one ought to be cautious, it's twenty-five
6. million over Governor 2. Well, be that as it may, I have other
7. ammunition. This side of the aisle, it's twenty-five million over,
8. the other side of the aisle, five million. Seriously though,
9. I think one of the things that bothers me is, we...in the grant
10. items we talk about priorities, and we have to look at what the
11. Senate has done, we know this is going to be in a Conference
12. Committee. And what the Senate is saying is, that A, we want
13. to spend more money than we apparently have. But B, the things
14. that we want to spend more on, Bilingual, six million additional
15. for Chicago, four million downstate, and what did we cut, yes we
16. cut something, we took two million dollars out of the Textbook
17. Program, I guess to partially offset our increase to Bilingual.
18. I'm not sure...simply put though, I don't think most of us, if
19. we just sit down just for a couple of moments, and A, if we could
20. get past blowing the budget, which I think most of us, particularly
21. on this side have problems with, take a look at the priorities.
22. Now, I happen to think that there...an argument can be made for
23. Bilingual in some instances. But it's obvious to me that we
24. are pumping more money into this than we have ever done before
25. at a time when I think our constituents are saying hey, we're
26. not sure we're too wild about that. By the same token I personally
27. have had very good response from my district from the public and
28. the non-public schools, obviously the non-public schools about
29. the Textbook Program. I think anybody who votes for this
30. particularly from downstate...well, frankly, from Chicago, is
31. going to have to explain these priorities to some very interested
32. people. I'd suggest we ought to hold this one and rework it.
33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Marovitz.

2. SENATOR MAROVITZ:

3. Thank you, very much, Mr. President, and Ladies and Gentlemen
4. of the Senate. Just to clarify a comment of Senator Schaffer's
5. about pumping more money into this program, namely Bilingual,
6. than we ever have before, not only is this substantially below
7. the State board level for FY'82, it is also below the FY'81 level.
8. So, when Senator Schaffer talks about pumping more money into this
9. program than we ever have before, we're pumping less money into
10. this program than we did last year. We've reduced Bilingual. So,
11. if you want to talk about it, we're telling these people that they
12. have to make cuts, these are kids who really need these programs
13. to transition themselves into classrooms. We have reduced them,
14. we have sent them the message. I'd urge an Aye vote.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Buzbee.

17. SENATOR BUZBEE:

18. Thank you, Mr. President. You know, figures get thrown around
19. here all the time, but folks ought to get their facts straight be-
20. fore they start futzing with the figures. The...the fact of the
21. matter is, in the Governor's original Budget No. 1, he requested
22. ninety million dollars of new dollars over and above FY'81 expend-
23. itures, and then in the revised budget, in No. 2, he said I'm
24. reducing that by twenty-one million dollars, we're bringing it
25. down to sixty-nine, and then what we did is we went through the
26. committee process...once, we put it back to the ninety. Now, we're...
27. we're...Senator Schaffer, you're correct in this part, we went a
28. little above the ninety, as a matter of fact, I think our
29. proposal as it came out of committee, was...was about twenty-one
30. and a half million, as opposed to the twenty-one we wanted to
31. add back. And then yesterday, Senator Sangmeister and Senator
32. Etheredge added another 1.7 million for the Joliet schools. So,
33. to...we are...the stance right now of being approximately twenty-
three million over the Governor's Budget Level No. 2, which is

1. approximately two million over his Budget Level No. 1...or three
2. million, somewhere in that vicinity. Now, what is...what is
3. contained in this bill is the categoricals, and in every case,
4. as Senator Marovitz pointed out, we are at last year's expenditures
5. or a little bit above with the exception of Bilingual. And in
6. that case we are a little bit below. In the case of textbooks, we
7. are exactly where we were last year, twelve million dollars. And
8. Senator Schaffer, as you very well know, every year when we get
9. to the categorical grants, it's a question of proposal, counter-
10. proposal, and compromise. And this is the compromise on those
11. particular grants. We have stayed very close to what our original
12. intention was, what the Governor's original intention was on
13. education, of ninety million dollars of new money. The priorities,
14. I think, in this State ought to say that we are for the State
15. saving the local property taxpayer increases. We are for State
16. dollars going into education. And we are against increasing
17. local property taxes. But apparently it's...it's your stance
18. on that side of the aisle that you prefer to increase local
19. property taxes. Senator Schaffer, I'll be very happy to go back
20. home to my constituents and explain to them, that yes, I voted
21. to hold down your local property taxes. I voted to keep the
22. schools open. I voted for quality programs for education so,
23. Johnny can read and write. It's a good bill and it ought to
24. get fifty-eight votes.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Grotberg.

27. SENATOR GROTEBERG:

28. To clarify once more. Thank you, Mr. President. There's
29. a confusion reigning around Springfield and the State of Illinois
30. about that holybody called the State Board of Education. Their
31. request was for three hundred and eighty-three millions of dollars.
32. And that would have been a fifty million dollar increase over the
33. FY'81 appropriation. Now, the State Board of Education is so strong,

1. it's a government unto itself, it files its bills in spite of the
2. Governor and the administration knowing that they can wreck every
3. corner of his budget, and they feel so secure about it that they
4. gave all of their sponsorship of their bills to the opposition
5. knowing full well that if they could posture this administration
6. into a broken bank statement by the State of Illinois and emptying
7. the...emptying the coffers once and for all that the political
8. advantages of all of that may accrue to the opposition. So, let's
9. look at it once more, they filed three hundred and eighty-three
10. million, and we're almost back to what they asked for if this
11. amendment goes on. The House added back some fifteen to twenty
12. million after Governor 2, so that the whole thing is getting out
13. of control, and I think that is the reason, Senator Rock that the
14. bill really does need debate. And all of...in all honesty, it's
15. gone so far we have failed substantively to unmandate anything.
16. Every year we come down here and promise the taxpayers we're going
17. to unmandate school programs, we haven't done it. The only way
18. we can lessen the mandates is to not send the money up the pike,
19. and they would have to live within that budget. That's the reason
20. I'm opposed to this form of this bill.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there further discussion? Senator Schaffer for the
23. second time.

24. SENATOR SCHAFFER:

25. Well, I would like to just clarify. Senator Rock, I guess
26. over here we talk in terms of Governor 2, and I think maybe you
27. are thinking Governor 1, So, I can understand the difference.
28. We're told quite reliably that Governor 2, is three hundred and
29. fifty-one, almost three hundred and fifty-two million, this is
30. three hundred and seventy-six almost three hundred and seventy-
31. seven million. That's where my twenty-five million dollar figure
32. comes from. And Senator Marovitz, I...I apologize, this...even
33. with the add on, this is below the Board of Educations request, but

1. then what isn't below the Board of...Education's request? If we
2. honored all their requests, the finance companies would be in here
3. repossessing the furniture in this very hall to pay the bill.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there further discussion? If not, Senator Rock may close
6. debate.

7. SENATOR ROCK:

8. Well, I suppose we can always argue about who's using what
9. figures. As I understood this, the State Board of Education requested
10. three hundred and eighty-eight million, and so the bill as it is
11. now before you is some six million below that. I will readily
12. admit that in the judgment of most, we are, in fact, fifteen
13. million above what the Governor purported to do in...in Governor
14. 2, and with the School Aid Formula that just finally passed, that's
15. seven million above. So, the grand total is somewhere in the neigh-
16. borhood of twenty-three million above Governor 2, which we readily
17. admit. And about which we are currently negotiating with the
18. Office of the Governor because we think he cut too far. Now, the
19. fact is, Senator Grotberg, for your information, I am delighted
20. to find out that Davis, and Davidson, and Tuerk, and Maitland, are
21. somehow members of our side of the aisle. I hope they so vote
22. at the appropriate time. The bills that have been handled, the
23. formula, the categorical grant, I have been handling the categorical
24. grant for almost ten years, and I don't think it's untoward of
25. ...of the State Board of Education to again request that I handle
26. same. And the fact of the matter is, that Bilingual Education
27. is, in fact, the only program that's below the FY'81 level, and
28. textbooks about which Senator Schaffer is shedding some crocodile
29. tears, is at the FY'81 level. Now, I...I would...I'd love to
30. double textbooks, no question about it. We are talking about
31. what is doable at this time of the year. In my judgment three
32. hundred and eighty-two million dollars is doable. And I would
33. seek an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

1. The question is, shall House Bill 493 pass. Those in favor
2. will vote Aye. Those opposed vote Nay. The voting is open. Have
3. all voted who wish? Have all voted who wish? Have all voted who
4. wish? Take the record. On that question, the Ayes are 32, the
5. Nays are 25, none Voting Present. House Bill 493, having re-
6. ceived the constitutional majority is declared passed. For what
7. purpose does Senator Bloom arise?

8. SENATOR BLOOM:

9. A point of personal privilege.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. State your point.

12. SENATOR BLOOM:

13. Yes, seated..seated in the south gallery is probably the best
14. mother-in-law I've ever had, I would have introduced her earlier,
15. but because she's originally from St. Louis she went over and
16. sat on your side. But now that she's sitting on our side, I'd
17. like to introduce my mother-in-law, Earlene Rahmberg.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Would she please stand and be recognized.

20. SENATOR BLOOM:

21. Oh, and seated next to her is the lovely wife of Jack Bowers
22. who's checking up on him as well.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Would she please rise and be recognized. House Bill 494,
25. Senator Buzbee. House Bill 495, Senator Maitland. Read the
26. bill, Mr. Secretary.

27. SECRETARY:

28. House Bill 495.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Maitland.

33. SENATOR MAITLAND:

1. Thank you, Mr. President. House Bill 495 appropriates seven
2. hundred and seventy million six hundred and forty-three thousand
3. six hundred dollars for FY'82 State Board of Education expenditures
4. of teachers retirement, driver's education, and Federal grants.
5. The bill is at the Governor's allocation.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there any discussion? Senator Berning.

8. SENATOR BERNING:

9. Thank you, Mr. President, and members of the Senate. I just
10. want to make clear the reason for my No vote on 495. I have no
11. problem with, and would happily support appropriation for the
12. Teachers Retirement Program, but I am unalterably opposed to the
13. Drivers Education Program, and wouldn't vote one dollar for it,
14. and consequently for the reason that it is included in this bill
15. I have no choice but to vote No on the entire bill. Thank you.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there further discussion? If not, the question...Senator
18. Maitland do you wish to close? If not, the question is, shall
19. House Bill 495 pass. Those in favor will vote Aye. Those opposed
20. will vote Nay. The voting is open. Have all voted who wish?
21. Have all voted who wish? Take the record. On that question, the
22. Ayes are 46, the Nays are 1, none Voting Present. House Bill 495,
23. having received the constitutional majority is declared
24. passed. House Bill 499, Senator Nash. Senator Nash, do you wish
25. to call your bill? Read the bill, Mr. Secretary.

26. SECRETARY:

27. House Bill 499.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Nash.

32. SENATOR NASH:

33. Mr. President, and Ladies and Gentlemen of the Senate. House

HB 503
3rd Reading

1. Bill 499 adds school nurse intern into professional workers who
2. are eligible for Special Education reimbursements. I ask for an
3. Aye vote.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there any discussion? If not, the question is, shall
6. House Bill 499 pass. Those in favor will vote Aye. Those opposed
7. vote Nay. The voting is open. Senator, would you vote me? Have
8. all voted who wish? Have all voted who wish? Have all voted who
9. wish? Take the record. On that question, the Ayes are 47, the
10. Nays are 3, none Voting Present. House Bill 499, having received
11. the constitutional majority is declared passed. House Bill 503,
12. Senator Bowers. Read the bill, Mr. Secretary.

13. SECRETARY:

14. House Bill 503.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Bowers.

19. SENATOR BOWERS:

20. Thank you, Mr. President. House Bill 503 seeks to change
21. the Criminal Code to permit the use of photographic evidence in
22. cases of burglary, theft, et cetera. As you know, we do this
23. constantly with respect to civil cases, but it's not been in the
24. Criminal Code. This bill came from...basically started at the
25. request of the Retail Merchants Association. The problem they
26. have for those of you who have been involved in criminal proceedings,
27. is that in the case of a burglary or a theft, for instance, their
28. merchandise can be tied up for...up to years as a matter of fact
29. because they can't get it back until the State's attorney releases it
30. because he needs it as evidence. What this permits in those retail
31. cases is photographs that can be taken, and then the photographs
32. submitted in evidence in lieu of the actual merchandise. This
33. permits the retailer to get his merchandise back. Now, there is

1. a distinguished...distinguishing factor in here as between new
2. merchandise and old merchandise, that is to say as between the
3. retailer and an individual. The basis for that distinction is
4. the fact that the retailer is...merchandise is new merchandise,
5. there's no problem of valuation, generally speaking if...if it's
6. a used lawn mower for instance there is some problems of evaluation
7. so Representative Cullerton had an amendment put on drawing that
8. distinction. I think it does have some basis. Under the circum-
9. stances, I know of nothing controversial about the bill, except
10. the sponsor and I would appreciate a favorable roll call if there aren't
11. any questions.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there any discussion? If not, the question is, shall House
14. Bill 503 pass. Those in favor will vote Aye. Those opposed vote
15. Nay. The voting is open. Have all voted who wish? Have all voted
16. who wish? Have all voted who wish? Take the record. On that
17. question, the Ayes are 54, the Nays are none, none Voting Present.
18. House Bill 503, having received the constitutional majority is
19. declared passed. For what purpose does Senator Bowers arise?

20. SENATOR BOWERS:

21. I guess on a point of personal privilege, Mr. President. Some-
22. time ago on Senator Sangmeister's bill we were funning a little bit,
23. and I think I used the term beast in referring to Senator Sangmeister,
24. and that...that electronic marvel in the recording sometimes doesn't
25. show the...the fun you're having and the laughter. And I just want
26. it to show, as a matter of record that he really isn't a beast.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Marovitz. Senator Sangmeister.

29. SENATOR SANGMEISTER:

30. Not knowing how our remarks were in that debate, Senator,
31. and after having known you for...for five years, your debate on
32. that particular bill indicates to me that I now know why you have
33. such a concern for skunks. And if any respect, I might have

1. inferred anything toward the Honorable Senator Bowers, I also
2. wish the record to show that he is not one of those.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Marovitz.

5. SENATOR MAROVITZ:

6. Thank you, very much, Mr. President. For the record, last
7. night on Amendment No. 24 to House Bill 588, someone inadvertently
8. pushed my button on probably the most abhorrent amendment on that
9. entire bill sponsored by...Senator Totten, cutting the public
10. aid funds. I was voted Yes, I did not push my switch Yes, and
11. my...voting has consistently been in favor of funding for public
12. aid. And I wish the record to indicate that had somebody pushed
13. ...had I been in my seat, I was on the phone, I would have definitely
14. voted No. And somebody inadvertently voted me Aye.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. The record will so indicate. House Bill 536, Senator Weaver.
17. Read the bill, Mr. Secretary.

18. SECRETARY:

19. House Bill 536.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Weaver.

24. SENATOR WEAVER:

25. Thank you, Mr. President. This is the annual appropriation
26. to the Office of the Governor in the amount of three million nine
27. hundred and thirty-five thousand a hundred and seventy dollars.
28. I'd appreciate a favorable roll call.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Well, I would just like to point out that...that this budget
33. is over the Governor's recommended level. I...I don't know what

1. we do in a case like that, we've been getting...we have been
2. getting...requests from the other side for several days to not
3. go over the Governor's recommended level. And here's a budget
4. for the Office of the Governor that's over the Governor's recom-
5. mended level. Just yesterday the Governor's Office said we
6. want to put more money in here. So, I don't know, I guess maybe
7. we ought to vote No, because I don't want to go over the Governor's
8. recommended level.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there further discussion? If not, Senator Weaver may close
11. debate.

12. SENATOR WEAVER:

13. Thank you, Mr. President. Well, this is really below the
14. original Governor's budget, but he's...he's had to spend so much
15. money traveling up to see the mayor, you know, cost of fuel and
16. all that, and staying overnight, he needs another fifty thousand
17. dollars just to handle that transit problem up there. Appreciate
18. a favorable roll call.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. The question is, shall House Bill 536 pass. Those in favor
21. will vote Aye. Those opposed vote Nay. The voting is open. Senator
22. would you vote me Present. Have all voted who wish? Have all
23. voted who wish? Have all voted who wish? Take the record. On
24. that question, the Ayes are 28, the Nays are 2, 20 Voting Present.
25. House Bill 536, having failed to receive a constitutional majority
26. is declared lost. House Bill 537, Senator Walsh.

27. SECRETARY:

28. House Bill 537.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Walsh.

33. SENATOR WALSH:

1. Mr. President, and members of the Senate. You'll all be happy
2. to know that this budget is...is below the Governor's budget. And
3. it appropriates to the Office of Lieutenant Governor approximately
4. five hundred and thirteen thousand dollars for Fiscal Year 1982.
5. I urge a favorable vote.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Buzbee.

8. SENATOR BUZBEE:

9. This is a good bill, it ought to pass.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Marovitz.

12. SENATOR MAROVITZ:

13. Well, whatever level this is, it isn't low enough. I have
14. a...couple questions about this. Is there any money in there
15. for the senior citizen forum?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Walsh.

18. SENATOR WALSH:

19. Section 2 of the...of the appropriation is for the ordinary
20. and contingent expenses of senior citizens action centers.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Marovitz.

23. SENATOR MAROVITZ:

24. How much is that?

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Walsh.

27. SENATOR WALSH:

28. The total is a hundred and ninety-six thousand two hundred,
29. minus...that's it, a hundred and ninety-six thousand two hundred.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Marovitz.

32. SENATOR MAROVITZ:

33. Well, isn't this duplicitous with the Department of Aging?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Walsh.

3. SENATOR MAROVITZ:

4. And what are these...and what are these "bodies", what do they
5. do, what is their jurisdiction?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Walsh.

8. SENATOR WALSH:

9. This is a program that was initiated by Lieutenant
10. Governor Hardigan, and it's being...it's being carried out now
11. by Lieutenant Governor O'Neal.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Marovitz.

14. SENATOR MAROVITZ:

15. That doesn't answer my question. Unfortunately Lieutenant
16. Governor Hardigan is not here to answer the question. So, I...
17. I'd like to know what they do, and what their statutory authority
18. is, and if there is any statutory authority for these senior
19. citizen centers? What do they do, why are they there, and not
20. in the Department of Aging? What do they accomplish, and what
21. is their statutory authority?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Walsh.

24. SENATOR WALSH:

25. I'm advised by my counselors here, to again refer you to
26. Lieutenant Governor Hardigan. Basically, you know, these are
27. senior citizen centers that are operated by the...by the Lieutenant
28. Governor to serve the needs of our senior citizens. And it appears
29. to have been a...a very well received program, and this is first
30. suggestion that...that it is not appropriate.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Marovitz.

33. SENATOR MAROVITZ:

1. Well, it seems to me, it would be a little incongruous when
2. members from the other side of the aisle want to put money into
3. a senior citizens center under the Lieutenant Governor's Office
4. which has no statutory authority whatsoever, and in the same
5. token try and cut funds for the statutorily mandated or approved
6. senior citizens centers in Chicago and throughout the State of
7. Illinois which do, in fact, serve senior citizens and programs.
8. There isn't one single program in these senior citizen centers
9. under the Lieutenant Governor's budget. They could and should
10. be in the Department of Aging's budget, in fact, what these senior
11. citizen centers are, are a political forum paid for by the taxpayers
12. of the State of Illinois for the purpose of the Lieutenant Governor
13. and for political purposes only. And I would object to them, and
14. I'm going to vote No.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator...Senator Grotberg.

17. SENATOR GROTEBERG:

18. Well, thank you, Mr. President. I was distracted for a moment
19. ...in due respect to Senator Marovitz's remarks, I remember this
20. whole thing was started by Lieutenant Governor Neil Hardigan. And
21. I believe it's probably less impacted now with bodies and dollars
22. than it was under that distinguished Gentleman. You can see how
23. far it got him, you can see how far it's gotten our present
24. Lieutenant Governor, and I think maybe you're arguing out of false
25. premise, Senator Marovitz, that somebody should be an ...ombudsman
26. in the Governor's Office for the senior citizens and through the
27. Lieutenant Governor's good dispatch. But your premise is wrong,
28. it was invented by a predecessor, it has been continued, and it's
29. not really that big a deal. I recommend an Aye vote.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Lemke.

32. SENATOR LEMKE:

33. In answer to the previous speaker, Senator Grotberg, sure it

1. was started by Neil Hartigan as Lieutenant Governor, but when they
2. published a newspaper, that particular newsletter was bipartisan.
3. It mentioned Republican and Democratic Representatives and Senators.
4. The present thing...all it is, is a political newspaper used for
5. the sole purpose of promoting Republican Legislators or Republican
6. policies, and mentions nothing about Democratic programs and
7. everything else. And my experience with that this year was, the
8. only inheritance tax thing they were talking about was Senator
9. Bloom's, yet I had a bill, and several other bills were by
10. Democratic sponsors, and none of those tax proposals were put
11. into that newsletter, and they were requested to be in there.
12. And I was assured they were, they were not put in that newsletter
13. going out to senior citizens. And the idea of the whole Department
14. of Aging, and why it came about, was that the former Governor
15. Walker was using certain facilities in getting out letters anti-
16. friends...I mean anti-enemies, and taking care of his friends.
17. And that's what we're doing now, but now we're getting into partisan
18. politics with that newsletter, and the Department of Aging and
19. the senior citizen, and Lieutenant Governor's forum, is not to be used
20. for partisan politics, but was...is to be used to inform the senior
21. citizens of what's taking place, whether that legislation is sponsored
22. by Democrats or Republicans. And I would urge my colleagues on
23. this side of the aisle not to support this budget until we get
24. insurances...assurances from the Lieutenant Governor that he will not
25. use that newsletter as a media for Republican politics.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. While Senator Bruce is busy working over his legislation we
28. have his lovely wife Charlotte, and his two daughters Emily and
29. Ellen joining us in the President's gallery. And we'd like them
30. to stand up and be recognized. Senator Bloom.

31. SENATOR BLOOM:

32. Senator Lemke, could I have a copy of that newsletter, this
33. is the first I've heard that the administration was supporting the
inheritance tax repeal.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Geo-Karis.

3. SENATOR GEO-KARIS:

4. Mr. President, and Ladies and Gentlemen of the Senate. Let
5. he who hasn't got a bit of partisanship spirit in him cast the
6. first stone in this Assembly. Frankly, I think the Lieutenant
7. Governor has had enough troubles, and I think we're belaboring the
8. point, and wasting valuable time. And if he's done a public service
9. to help the senior citizens, I think that's what we have to re-
10. member. I speak in favor of the bill.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. If there's no further discussion, Senator Walsh may close
13. debate.

14. SENATOR WALSH:

15. Mr. President, and members of the Senate. Just to...to note
16. to the two Senators from the other side who spoke, that by Statute
17. the Lieutenant Governor does act as the Chairman of the Technical
18. Advisory Committee on Aging. I think this is a good...good bill.
19. I would recommend a...remind Senator Buzbee that he said this
20. was a good bill and should pass. I hope that he would vote ac-
21. cordingly. I urge an Aye vote.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. The question is, shall House Bill 537 pass. Those in favor
24. will vote Aye. Those opposed vote Nay. The voting is open. Have
25. all voted who wish? Have all voted who wish? Have all voted who
26. wish? Take the record. On that question, the Ayes are 40, the
27. Nays are 5, 2 Voting Present. House Bill 537, having received the
28. constitutional majority is declared passed. House Bill 546,
29. Senator Egan. Read the bill, Mr. Secretary.

30. SECRETARY:

31. House Bill 546.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Egan.

3. SENATOR EGAN:

4. Thank you, Mr. President, and members of the Senate. The
5. Calendar Digest is totally incorrect. And so that everyone will
6. be aware of what the bill does, this bill has failed in the Senate
7. in...in...in the last month because of a great deal of misconception
8. over the effect. It allows the appellate clerks and the Supreme
9. Court clerks, six in number, five appellate clerks, and one
10. Supreme Court clerk into the Judicial pension system, something
11. that will not affect the system with any significance. The...
12. their intrusion...or their inclusion is a matter...as it affects
13. the system diminishes. And I'm sure you're aware that when the
14. actuary wrote his report, as we explained the last time, he was
15. of the mind that there were many, many more clerks, and he was
16. not aware that there were only six that would be included in
17. the whole system. This is not precedent setting, rather precedent
18. following. And I think there's justification for it. I urge
19. your support.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. WBBM wishes to shoot silent film from the gallery. Is leave
22. granted? Leave is granted. Further discussion? Senator Berning.

23. SENATOR BERNING:

24. Thank you, Mr. President, and members of the Senate. Senator
25. Egan is correct, the Digest does not reflect the bill in its
26. current form.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Could we have a little order in the aisles, here. Could
29. we break up these meetings here.

30. SENATOR BERNING:

31. Just in the event there is some interest in what the bill
32. does, Senator Egan is correct, he pointed out that this makes
33. clerks eligible for participation in the Judicial Retirement

1. Program. Now, there is a precedent, yes, we have taken State
2. elective offices...officers and included them in the General
3. Assembly Retirement System. That has been used now as a precedent
4. and justification for including non-elected personnel into the
5. General Assembly Retirement System. The precedent originally
6. established to include the State elected officials cannot be
7. used as justification for further erosion of the systems by the
8. inclusion of the non-elected. This particular amendment before
9. us, or the bill as it now is before us is totally in error in
10. the context of what the Judicial Retirement System is, it's for
11. judges. Once we open the door we do then have a new precedent,
12. and we'll be requested to include bailiffs, and secretaries,
13. and all other personnell, and who could say they should
14. not be included if we now start the process by including the
15. clerks...yes, the clerks. And I would suggest to the members
16. of the Body that this is inappropriate, not that it's devastatingly
17. expensive, it is not, it is just inappropriate, these people
18. are covered by their own pensions in their own system, they do
19. not belong in the judges' system.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further discussion? Senator Rupp!

22. SENATOR RUPP:

23. Thank you, Mr. President. I, too, rise in opposition to this
24. bill, and would just like to echo the remarks of Senator Berning.
25. I urge a No vote on this bill.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? If not, Senator Egan may close
28. debate.

29. SENATOR EGAN:

30. Thank you, Mr. President, and members of the Senate. Well,
31. Senator Berning, all I can say is, that this is not a...is not a
32. precedent setting move, as a matter of fact, it is a precedent
33. following move. It does not affect the system with any practical

HB 566
3rd Reading

1. amount, it...it is something that is totally restrictive to six,
2. that's all it does. And I ask for your favorable consideration.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. The question is, shall House Bill 546 pass. Those in favor
5. will vote Aye. Those opposed vote Nay. The voting is open. Have
6. all voted who wish? Have all voted who wish? Have all voted
7. who wish? Take the record. On that question, the Ayes are 28,
8. the Nays are 27, none Voting Present. House Bill 546, having
9. failed to receive a constitutional majority is declared lost.
10. House Bill 566, Senator Berman. Read the bill, Mr. Secretary.
11. SECRETARY:

12. House Bill 566.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Berman.

17. SENATOR BERMAN:

18. Thank you, Mr. President. Ladies and Gentlemen of the Senate,
19. House Bill 566 as amended by Senator Maitland provides a flexibility
20. to local school districts that have levied a Special Education
21. building tax levy to utilize that levy for Special Education purposes
22. in addition to just Special Education buildings. The amendment
23. limits the...the use of that...those funds, if they are beyond the
24. eight year period which was authorized to levy, they cannot re-
25. instate that levy under this bill. And it does give the school
26. districts the flexibility and ease the pressure on their Special
27. Education needs that almost every school district is facing. There's
28. only a limited number of districts that this will apply to, but
29. they are in need for this additional flexibility. I ask for
30. your Aye vote.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Maitland.

33. SENATOR MAITLAND:

1. Thank you, Mr. President. When House Bill 566 was debated
2. in committee it was totally unacceptable to some of us because
3. it simply extended the eight year...took the eight year limit
4. off, and would allow that...that levying without referendum.
5. Senator Berman agreed to the amendment, the funds can be trans-
6. ferred only from...into the Special Education area, any other
7. transfer of funds has to be...by referendum. And what was a
8. bad bill, is a...is a much, much better bill.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Sommer.

11. SENATOR SOMMER:

12. A question for Senator Maitland, whose amendment it is. Could
13. you give us more detail as to...to what your amendment did to the
14. bill?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Maitland.

17. SENATOR MAITLAND:

18. Senator Sommer, as the bill was drafted and presented to us
19. in committee, it simply took off the eight year permissive language
20. and allowed school districts to levy for the rest of time, that
21. either two or four cents for...for Special Education building
22. purposes. I have no problem...if a mistake was made, it was
23. made in 1967 when that permissive language was put into the
24. Statutes. Had I been here, I would have voted against that,
25. but the fact of the matter is, it is now in place. And we allow
26. them for a period of eight years to levy those dollars. House
27. Bill 566 purported to take that eight year off, and let them
28. continue to levy it. And I simply wouldn't permit that, and
29. said for those who were in the eight year period, they could
30. continue to...levy it for the eight years, but no extension beyond
31. that. It was my understanding there are about two hundred school
32. districts in the State that are still in that eight year period,
33. many others have already passed out of the eight years.

HB 567
3rd Reading

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? If not, Senator Berman may close
3. debate.

4. SENATOR BERMAN:

5. I ask for a favorable roll call.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. The question is, shall House Bill 566 pass. Those in favor
8. will vote Aye. Those opposed vote Nay. The voting is open. Have
9. all voted who wish? Senator, would you vote me Aye. Have all
10. voted who wish? Take the record. On that question, the Ayes
11. are 41, the Nays are 10, 2 Voting Present. House Bill 566,
12. having received the constitutional majority is declared passed.
13. House Bill 567, Senator D'Arco. Read the bill, Mr. Secretary.

14. SECRETARY:

15. House Bill 567.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator D'Arco.

20. SENATOR D'ARCO:

21. Thank you, Mr. President. What House Bill 567 does, is
22. provide that in all accident and health insurance policies, the
23. insured children would include adopted children as well as
24. natural children, and they could not be excluded from the policy
25. because they were adopted children. We also put in the bill an
26. amendment offered by Senator Berman, which provided that in an
27. uninsured motorist case that's filed by...in the circuit court,
28. the insurance company would have to pay the cost of attorney's fees
29. and court costs if a settlement was forthcoming. and they required
30. the insured to file the suit against the uninsured motorist. I
31. know of no objection to this bill. And I would ask a favorable
32. vote on House Bill 567.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Is there any discussion? If not, the question is, shall
2. ...Senator Buzbee.

3. SENATOR BUZBEE:

4. I...I have a question of the sponsor.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. He indicates he'll yield.

7. SENATOR BUZBEE:

8. This...this relates to...to...when you say accident and
9. health insurance policies, it says that adopted children have
10. to be treated...I'm...I'm all in favor of that, but...but why...
11. why do we have to say that? I mean...adopted child should have
12. all the legal rights as a...as a natural birth, so why...why do
13. we have to do this? Is there something in our Statute that pre-
14. cludes it?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator D'Arco.

17. SENATOR D'ARCO:

18. No, there's nothing in...in the Statute that precludes it,
19. but I think some people may have had some problems in getting health
20. insurance with insurance companies who would not insure the child
21. because he was a...an adopted child and not a natural child. So,
22. they came to us and said maybe if we put it in the Statute, it
23. would rectify that situation.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there further discussion? Senator Gitz.

26. SENATOR GITZ:

27. As I understand it, Senator D'Arco, there are three amendments
28. on this bill?

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator D'Arco.

31. SENATOR D'ARCO:

32. No, I thought that one amendment was Tabled. There's...there was...
33. Senator Berman's amendment which applies to lawsuits filed by an

1. insured against an uninsured motorist. The substantive bill applies
2. to health and accident insurance for adopted children to include
3. them in the policy of the insured.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Gitz.

6. SENATOR GITZ:

7. My concern, Senator, is to Amendment 3, and maybe my question
8. should be directed to Senator Berman, but I'm not sure what we're
9. really doing here. And I hope that everyone will take a look at
10. it, so at least we know what we are about to do. As I understand
11. this amendment, this requires...this can require the insurer to
12. require the insured to file a suit. Now, what is the purpose of
13. that amendment, and why are we doing that? And if the insurance
14. company wants the suit, then why don't they file it? And how
15. is it that we can require that person who's received coverage to
16. file a suit presumably at his expense?

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Berman.

19. SENATOR BERMAN:

20. This deals with the uninsured motorist coverage of your auto-
21. mobile policy. Under that coverage in...in every policy, there
22. is a requirement that at the request of the insurance company, that
23. you file suit against the uninsured defendant. The reason for
24. that is...and that's in the policies already. Now, the reason for
25. the amendment is that it's come to my attention that some companies
26. have apparently changed their position. In the past what would
27. happen is that an uninsured...an insured that had an uninsured
28. motorist claim would submit the claim to his carrier...are you
29. listening? Would...would submit his claim to his carrier, they
30. would negotiate if they were getting up against the Statute of
31. Limitations, the insurance carrier would request, properly so,
32. of the insured to file suit to protect his and their subrogation
33. interests. What's happened, is that some companies before they're...

1. negotiating at all now, are demanding that suit be filed. This
2. amendment protects the insured saying that only upon good cause
3. shown that when there is a request for...for the filing of the
4. lawsuit in order to...to comply with the request of the insurance
5. company, that the insurance company must advance the costs. This
6. is a greater protection to the insured, not to the insurer.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Gitz.

9. SENATOR GITZ:

10. Okay, who pays for that suit, is that...the company. Okay.
11. So, this says...actually what you're doing then, is tightening
12. up the law and saying that they have to provide good cause, and
13. then that person has to agree to enter...enter into a suit. Okay,
14. back to the original bill then, Senator D'Arco, from the explanation
15. maybe I missed something, but how is it that we're requiring them
16. to extend this coverage to an adopted child? I don't understand
17. what the problem, frankly, is. And maybe I missed something in
18. the explanation, but it sounds like what we're doing is, is requiring
19. someone to expand coverage whether or not they wish to do so.
20. And that frankly seems a little bit against the grain, and if
21. there's a good reason I'll be happy to support it, but...

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator D'Arco.

24. SENATOR D'ARCO:

25. You're...you're not expanding coverage, you're simply stating
26. in the law that when an insured is covered under a health and
27. accident policy, an adopted child must be given the same consid-
28. eration as a natural child. So, you're not expanding it. He...
29. he's okay.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Now...now we have Senator Rupp.

32. SENATOR RUPP:

33. Thank you, Mr. President. Part of the confusion might be that

1. this also picks up coverage during an interim period when the
2. final adoption may not...may not have been finalized. In that
3. particular case it also covers the youngster. It is because there
4. have been some questions, and it's not really broadening, I think
5. it's just an effort to clear and make the...the policy more accurate.
6. As far as the...I trust the answer is sufficient on the other
7. part of paying for the suit, most of the policies already include
8. that defense cost anyway, all this is doing is saying that the
9. company does not have any right, that you do not have. And all
10. they're doing is stepping in in your place.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator DeAngelis.

13. SENATOR DeANGELIS:

14. A question of the sponsor?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. He indicates he'll yield.

17. SENATOR DeANGELIS:

18. Senator Berman, very simply, what is the legal impact of
19. this bill, is it more litigation, less litigation, or no con-
20. sequence?

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Berman.

23. SENATOR BERMAN:

24. No consequence. All it does is spell out that when the in-
25. surance company wants a suit filed to protect their interests, they
26. advance the cost. I...this amendment was worked out with the
27. companies.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Geo-Karis.

30. SENATOR GEO-KARIS:

31. Mr. President, and Ladies and Gentlemen of the Senate. I'm
32. rising in favor of this bill for two reasons. One is, to clarify
33. the fact that adopted children or pending adopted children are

HB 607
3rd reading

1. included, you've got to so state in the law, otherwise the insurance
2. companies get out of it. The other point, about the uninsured
3. motorist, I think you will find that under this Senate amendment,
4. it...it encourages settlement and negotiations. And I think it's
5. a very necessary bill, and I certainly speak in favor of it.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? If not, Senator D'Arco may close
8. debate.

9. SENATOR D'ARCO:

10. Was Senator Geo-Karis in favor of this bill? I rise in op-
11. position to this bill. No, I'm just kidding. No, all the...all
12. the...all the non-lawyers think the lawyers are going to make a
13. windfall out of this bill, I think. No, Senator Rupp explained
14. it very well, and I would ask for a favorable vote on House Bill
15. 567.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. The question is, shall House Bill 567 pass. Those in favor
18. will vote Aye. Those opposed vote Nay. The voting is open. Have
19. all voted who wish? Would you vote me Aye. Have all voted who
20. wish? Take the record. On that question, the Ayes are 58, the
21. Nays are none, none Voting Present. House Bill 567, having re-
22. ceived the constitutional majority is declared passed. House Bill
23. 588, Senator Schaffer. House Bill...House Bill 607, Senator
24. Demuzio. Read the bill, Mr. Secretary.

25.
26.
27.
28.
29.
30.
31.
32.
33.

(END OF REEL)

1. SECRETARY:

2. House Bill 607.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. Thank you, very much, Mr. President. House Bill 607 is...
9. certainly not new to...this Senate. It was identical to...a
10. Senate Bill that...Senate Bill 449 that was here before the
11. exception of the fact that in the creation of the Illinois
12. Farm Development Authority the...membership of the board was...
13. was changed to establish that the seven members would be
14. appointed by the Governor. In setting up this...Farm Development
15. Authority, it will authorize and issue up to fifty million
16. dollars in tax exempt agriculture development revenue bonds.
17. It is a product of the...State Treasurer's Office. The...bill
18. has...provided for the organization of the board, provides for
19. the powers of the authority and sets up that the...the guide-
20. lines that are...are currently applicable under the...the
21. Federal FHA Program will be in effect...so that there is some
22. ...guidelines that had been established for the...loan...loan
23. program. It is, in fact, the proposal that was debated here
24. once before and I'm sure that there are some people who will
25. have something to...make comment and I would be...most happy
26. to answer questions if there are such.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there any discussion? Senator McMillan.

29. SENATOR MCMILLAN:

30. Mr. President and members of the Senate, I rise in opposition
31. to House Bill 607. This is a...a bill substantially the same
32. as a bill that has already been considered at length by this
33. Body. I do not question at all the motives of those who have

1. offered it. I presume that they are straightforward and that
2. they intend to provide some assistance for...farmers. The fact
3. of the matter is, however, there are lots of problems with
4. the bill. When we get into the long area of the bill where
5. they set forth...the reasons why they want to do something,
6. I think they have made some assumptions that are not sound.
7. They've indicated one section that part of the problem is that funds...
8. adequate funds are not available at reasonable interest rates.
9. Well, that could apply to every consumer in the State, every
10. business in the State, every person in the State who has any
11. desire to seek funds either to keep living or to keep earning
12. a living. There are other problems. When you look at the
13. amount of funds that would be available State-wide and divide
14. it by the number of counties, you get down to the point where
15. there will be less than five hundred thousand dollars of funds
16. available in each county. And it's going to boil down to the
17. fact that somebody somewhere who has political influence is
18. going to be able to get the funds and nobody else is. And
19. people who would like to have the additional funds will be
20. knocking on the door of every, at least, downstate Legislator
21. in this area wanting help and you're going to get caught trying
22. to determine who gets State sanctioned funds and who does not.
23. There's another provision in the bill that I think is also a
24. problem. There is a special lenders group included, which would
25. be the...financial arms of a lot of commercial companies. And,
26. again, because the funds are limited, when you get into the
27. farm machinery area, there will be some places where a...a...John
28. Deere dealer and their financial arm may get special funds which
29. will give them a special advantage in competing for sales with
30. other people. You may get into another county or another area
31. of the State where some other company's...financial lending
32. arm will have the nod and you'll get into a position where nearly
33. everybody in here other than a few from downstate will be

1. hammered because this kind of State program is going to make
2. dollars available to some farmers and not to others, it's
3. going to help some companies be more competitive than others
4. and is, frankly, going to get the State in a position where
5. it shouldn't be. There are lots and lots of Federal programs
6. that continue to provide ample additional funding for farmers,
7. either through regular sources or special funds are available
8. for low income and other farmers that are having trouble. The
9. State is not in a position to be geared up to have functioning
10. a program of this kind that can fairly allocate these funds
11. among people that may need it. And it is something that we
12. should not get into and I represent as much agricultural and
13. farm area as anybody and I believe it is not wise for the State
14. to get into this program and would seek a No vote.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Maitland.

17. SENATOR MAITLAND:

18. Thank you, Mr. President. And I probably represent the
19. biggest farm borrower in this Assembly. I can...I can assure
20. you of that. I rise, too, in strong opposition to House Bill
21. 607 for many of the same, if not all the same, reasons as
22. Senator...McMillan has...mentioned earlier. But I would remind
23. the...the Body that once again we have not...we have not in any
24. way, shape or form defined what a farmer is, number one fault.
25. Number two, the farm organizations support this...this...this
26. legislation primarily because they have the feeling it's going
27. to help the young farmer. Senator Demuzio put an amendment
28. on this bill the other day that would limit the amount of assets
29. that a borrower could have. That amendment now has been taken
30. off once again. It simply does not address itself to young
31. farmers at all. If you're trying to help the young farmer get
32. started with a low interest loan, this is not the way to do it
33. because it simply isn't going to happen. Thirdly, there's

1. nothing in here to prevent a lending institution who has a
2. farmer with lots of money borrowed who's not paying that loan
3. back to transfer his loan and indebtedness into this area.
4. Why not? Then the risk isn't his and it becomes a lower interest
5. rate loan to this farmer who already is not doing a good job of
6. operating. Why should one farmer have a three or four percent
7. interest loan lower than another farmer? It simply doesn't make
8. sense. You're just simply,...I believe, subsidizing mediocrity.
9. Finally, as Senator McMillan has so well spoken, the amount of
10. money is so low that there will be strong competition between
11. institutions and between farmers for these loans. This is one
12. place that government need not be. I have opposed these measures
13. for real estate and other measures and I think for those same
14. reasons we have to oppose this type of loan subsidy and I
15. would seek a No vote on House Bill 607.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Totten.

18. SENATOR TOTTEN:

19. Thank you, Mr. President and Ladies and Gentlemen of the
20. Senate. Quite frankly, I am really amazed that the sponsor...
21. the person who is sponsoring this bill is sponsoring it. For
22. it wasn't but a few days ago that he was up on this Floor be-
23. rating Senator Rock for his bill...taking off lids on interest
24. rates. This is bad economics. In effect, what we are doing
25. in this bill is, going...by...creating these revenue bonds,
26. we are going into the bond market with public money and there
27. only is a limited amount of money available for bonds. In
28. effect, what you do then is dry up the private money. When
29. you dry up the private money, interest rates go up. And that's
30. precisely what is happening in this country. What Senator
31. Demuzio is proposing is bad economics. For, in effect, the
32. poor...those who want to be in the private market, are going
33. to have to go in there at a higher cost and interest rates

1. all across the board go up when you have a limited supply of
2. money in the private market. Senator Demuzio, in effect, is
3. hurting the consumer, hurting the poor and hurting those who
4. want to borrow at a reasonable rate. This is a bad measure
5. for those reasons.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? Senator Donnewald.

8. SENATOR DONNEWALD:

9. Yes, Mr. President and members of the Body, I'm...represent
10. one of those sectors that is in need of help such as it's being
11. attempted through...House Bill 607. Other states are doing
12. this very same thing. I think that...Georgia, Louisiana,
13. Oklahoma, Iowa and Alabama are attempting this and we do need it
14. in the area in which I live. There are areas that do not need
15. it, but we...feel that in the 55th District and other areas
16. downstate that it certainly is a...a program that deserves...
17. consideration and passage and enacted into law. And I would
18. urge support for House Bill 607.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Is there further discussion? Senator Weaver.

21. SENATOR WEAVER:

22. A question of the sponsor, Mr. President.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. He indicates he will yield.

25. SENATOR WEAVER:

26. Senator Demuzio,...where in the bill does it say that this
27. agency will use FHA guidelines?

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Demuzio.

30. SENATOR DEMUZIO:

31. Why don't you ask the next question...we'll find that one...
32. wait a minute...page 8...page...on page 8, line 16...the procedure
33. from the Farmers' Home Administration of the Department of

1. Agriculture of the United States of America or elsewhere such
2. insurance, letters of credit, guarantees of the boards may deem
3. advisable including...limitation to...the...Section 13
4. on page 8.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Weaver.

7. SENATOR WEAVER:

8. It says to...to procure from, but there's no FHA guide-
9. lines in the bill, as far as granting loans...et cetera.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Further discussion? Senator Weaver...or Senator Demuzio.

12. SENATOR WEAVER:

13. Well, just one other thing,...where in the bill does it
14. refer to the county committee authorizing or passing on these
15. loans?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Demuzio.

18. SENATOR DEMUZIO:

19. Well, the...the...the county committee would...would not
20. ...rule itself on the bonds. It would determine and...eligibility
21. through the same guidelines as provided in the...FHA Rules and
22. Regulations and then the...the financial institution would make
23. its recommendation to the financial institution and then that
24. financial institution would make its recommendation to the Farm...
25. Authority itself for the actual loan.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Weaver.

28. SENATOR WEAVER:

29. The point is, Senator, it doesn't say that in the bill.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Demuzio.

32. SENATOR DEMUZIO:

33. Well, that is the...intent of the...State Treasurer that

1. the authority would...sell the bonds and that the...rules and
2. regulations of the Farmers' Home Administration would, in
3. fact, be the criteria by which...the...loans would be...be...
4. determined as to being eligible.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Weaver. Further discussion? Senator Grotberg.

7. SENATOR GROTEBERG:

8. A question of the sponsor. Who pays for the start up
9. cost and where is the money to enact this? Every development
10. authority we have in the State of Illinois now usually has
11. like a current budget of a million dollars minimum. Where
12. is the start up cost...the appropriation?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Demuzio.

15. SENATOR DEMUZIO:

16. There are no start up funds. It has been agreed to, as
17. I understand,...in the Treasurer's Office that his...staff...
18. would be assuming the additional responsibilities and that...
19. any expenses from the program would be...paid back through...
20. the pay back on the bonds.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Grotberg.

23. SENATOR GROTEBERG:

24. Well, thank you. That would be the...an all time first in...
25. in State Government if that were to happen, because...most of
26. our Constitutional officers know very well...that they...are
27. going...there will be a supplemental appropriation of some kind
28. because it could be a year or two before any bonds are sold and
29. given today's bond market, it could be a century before any are
30. sold. And if this is our distinguished Treasurer...making his
31. approach to the farm community, I suggest a better way to get
32. acquainted with them is to get in his car and travel out of his
33. travel allowance and make house calls.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Further discussion? Senator Demuzio
3. may close.

4. SENATOR DEMUZIO:

5. Well, thank you, very much,...Mr. President. The State
6. Treasurer...feels that this is a new and creative program and
7. that the fifty million dollars of authorization for...on the
8. revenue bonds is one that...can certainly be...be tried. If
9. it's demonstrated that it cannot be...workable, that there
10. are problems...with it, I'm sure that he's willing...more than
11. willing to work out any specific problems. I think it's an idea.
12. His intent is laudable. I think the opportunity ought to...
13. be presented to him and I would ask for your favorable support.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. ...the question is, shall House Bill 607 pass. Those in
16. favor vote Aye. Those opposed vote Nay. The voting is open.
17. Have all voted who wish? Have all voted who wish? Have all
18. voted who wish? Take the...take the record. On that question,
19. the Ayes are 31, the Nays are 27, none Voting Present. House
20. Bill 607 having received the required constitutional majority
21. is declared passed. Request for a verification by Senator
22. Maitland. There's been a request for a verification. Will
23. the members please be in their seats. The Secretary will call
24. those who voted in the affirmative and will the members please
25. respond when their name is called.

26. ACTING SECRETARY: (MR. FERNANDES)

27. The following voted in the affirmative: Berman, Bruce,
28. Buzbee, Carroll, Chew, Collins, D'Arco, Dawson, Degnan, Demuzio,
29. Donnewald, Egan, Geo-Karis, Gitz, Hall, Johns, Jeremiah Joyce,
30. Jerome Joyce, Lemke, Marovitz, McLendon, Nash, Nedza, Nega,
31. Netsch, Newhouse, Sangmeister, Savickas, Taylor, Vadalabene,
32. Mr. President.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Maitland, do you question the presence of any
2. member?

3. SENATOR MAITLAND:

4. Senator Geo-Karis.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is Senator Geo-Karis on the Floor? Senator Geo-Karis.
7. Strike her name. Further question, Senator Maitland?

8. SENATOR MAITLAND:

9. Senator Nash.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Nash is at Senator Rupp's desk. On a verified
12. roll call, there are 30 Ayes, 27 Nays. House Bill 607 having
13. received the required constitutional majority is declared
14. passed. House Bill 663, Senator Jerome Joyce. Corporate
15. authorities' salaries and volunteer firemen. Read the bill,
16. Mr. Secretary, please.

17. ACTING SECRETARY: (MR. FERNANDES)

18. House Bill 663.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Jerome Joyce.

23. SENATOR JEROME JOYCE:

24. Yes, Mr. President, all the main bill does is provide that
25. the salaries for a definite term shall be fixed at least two
26. months prior to the General Municipal Election. There is...
27. an amendment on this bill that...Senator Gitz...Senator Gitz
28. put on that...where is Senator Gitz? Well,...it says that a
29. volunteer fireman may receive compensation in these small
30. municipalities. You know,...as...as serving as a municipal
31. officer or a volunteer fireman.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there discussion? Senator Berning.

1. SENATOR BERNING:

2. Well, a question of the sponsor on that...Amendment No. 3,
3. which is what Senator Joyce referred to. Senator, a volunteer
4. is a volunteer is a volunteer, as I understand it. Now, if...
5. by the provisions of this amendment to your otherwise very
6. good bill, it appears to me that we are...acting not only
7. injudiciously in providing for compensation for volunteer
8. firemen, but I suggest to you that on down the road a ways
9. these compensated volunteer firemen are going to be...
10. attempting to present a case for you and I to include them in
11. the Downstate Firemen's Pension System Program and there
12. again will be entailed a significant amount of money. It just
13. appears to me that...this Amendment No. 3 ought not to have
14. been added to your otherwise good bill and I would suggest
15. that perhaps you consider...taking it back to 2nd and removing
16. Amendment No. 3.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Was that a question? Okay. Further
19. debate? Senator Rhoads.

20. SENATOR RHOADS:

21. Excuse me, Mr. President and members of the Senate. Then
22. I would ask a question of the sponsor. Senator Joyce, Senator
23. Berning has suggested an...a possible hidden agenda here, now
24. just to be clear, what is your legislative intent relative to
25. the possibility of this impacting on pensions? I think that's
26. the concern of the Taxpayers Federation on this.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Joyce.

29. SENATOR JEROME JOYCE:

30. Yes, it is my understanding and intent that in some of
31. these small communities,...in fact, where I live is one. I
32. didn't offer the amendment, but where I live there are some...
33. the...the fire department is voluntary. I think...like the

1. fire chief receives fifty dollars a month. Some of the fire-
2. men get...ten dollars a meeting or something. There's...there's
3. no pension system involved at all, but I...I think that there...
4. there probably is some sort of a conflict if...if this person
5. serves as...as a...on the town board of a small town and is a
6. volunteer fireman. You know, he...he may be getting a...a
7. hundred dollars a year serving on...on the town board and...
8. and ten dollars a month as a volunteer fireman and what we're
9. trying to do is just clarify that, that he can do it. There's
10. no pension systems involved at all.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Rhoads.

13. SENATOR RHOADS:

14. And I agree. The...the...the fiscal impact would probably
15. be minimal, but do you think, as Senator Berning suggests, that
16. it might open the door for participation in the Downstate Fire-
17. mens' Pension System?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Joyce.

20. SENATOR JEROME JOYCE:

21. Well, I...I don't think it has anything to do with it.
22. I think what it...what the intent of the...the amendment was
23. to do, was to allow him to serve on the town board or to...to
24. be mayor or what have you if he was a volunteer fireman.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Rhoads.

27. SENATOR RHOADS:

28. Well, then...given the fact that that concern has been
29. expressed on this side of the aisle, do you think there would
30. be a great deal of harm in recalling it, stripping off the
31. amendment and then still passing it today?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Joyce.

1. SENATOR JEROME JOYCE:

2. Well, Senator, it's not my amendment and I can't find the
3. sponsor of the amendment. So, I don't want to strip it off.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Further discussion? Senator...Weaver.

6. SENATOR WEAVER:

7. Thank you, Mr. President. I think there's a stipulation
8. that they...an employee has to work at least a thousand hours
9. a year in order to be...qualify as an employee for the Illinois
10. Municipal Retirement Pension System. So, I think they would
11. be precluded because of that. I think it's a good bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Mahar.

14. SENATOR MAHAR:

15. Yes, thank you, Mr. President. I join Senator Weaver in
16. saying it's a good bill. I think it solves a problem that has
17. been...the situation in many very small communities in which
18. you do have people who serve as volunteer firemen and are also
19. elected to the village board and actually there have been cases
20. ...that where they are doing it right now. So, what we're doing
21. is legalizing something that happens in small communities right
22. now. And I would ask for your support.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Sommer. Senator Berning for a second time.

25. SENATOR BERNING:

26. Yes, for the second time, perhaps, Senator Joyce, the...
27. the concern could be alleviated somewhat if first your state-
28. ment would be to the effect that this does not...is not the
29. legislative intent that this should provide...benefits or
30. accrued benefits that could be...ultimately considered for
31. the pension system. And further, since the bill has to go
32. back to the House, may I respectfully suggest that you consider...
33. replacing the word compensation with per diem or fee or some

1. word like that. Compensation has the inference that it is a
2. contractual arrangement with a fixed compensation and would
3. more justifiably be then basis for an application to be in-
4. cluded in the Downstate Firemen's System.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Further discussion? Senator Joyce
7. may close.

8. SENATOR JEROME JOYCE:

9. ...no, I...I would like to defer to the sponsor of the
10. amendment, Senator Gitz, and perhaps he can allay your fears.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Gitz.

13. SENATOR GITZ:

14. Well, Senator Berning, no one that we've ever consulted
15. with has ever indicated that someone who is a...city official
16. ...and keep in mind in a small village of a hundred people
17. they actually have to go out and canvas sometimes to get some-
18. body to even do the job. And oftentimes it's the same pool
19. of people who are also in the volunteer fire department. These
20. pension systems all have minimum thresholds. The piddling
21. amount of money we're talking about here would never even come
22. close under any pension rules that we have in the State of
23. Illinois of qualifying them for that. And now if we have to
24. go ahead and clarify that, fine, but it seems to me that the
25. legislative intent is established and we had the staff check
26. this out. There is no one that is ever beginning to give us the
27. ...even the slightest inkling...that this kind of benefit
28. would accrue out of this legislation.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Joyce may close.

31. SENATOR JEROME JOYCE:

32. Roll call.

33. PRESIDING OFFICER: (SENATOR BRUCE)

H. B. 673
3rd reading

1. The question is, shall House Bill 663 pass. Those in
2. favor vote Aye. Those opposed vote Nay. The voting is open.
3. Have all voted who wish? Have all voted who wish? Take the
4. record. On that question, the Ayes are 57, the Nays are none,
5. none Voting Present. House Bill 663 having received the re-
6. quired constitutional majority is declared passed. 673,
7. Senator Dawson. Read the bill, Mr. Secretary, please.

8. ACTING SECRETARY: (MR. FERNANDES)

9. House Bill 673.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Dawson.

14. SENATOR DAWSON:

15. Mr. President, first I'd like to ask, maybe we could save
16. the State some money if we turned the air conditioning down in this
17. room a little bit. Everybody seems to be freezing in here
18. today. Mr. President and Ladies and Gentlemen of the Senate,
19. House Bill 673 appropriates three hundred and fifty thousand
20. dollars for the import and export of shipments through our
21. port districts in the State of Illinois, which basically all
22. the different analyses and all that have all different things
23. on it. What it boils down to, it pays twenty-five cents per
24. ton for any cargo that is shipped directly...or shipped out
25. directly to a foreign country through the Chicago Regional Port
26. District to the maximum of three hundred and fifty thousand dollars.
27. This bill has been worked to by the Economic and Development
28. Commission and is cosponsored by Senator Weaver and myself.
29. I am willing to answer any questions on this, or otherwise,
30. ask for a favorable roll call.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Further discussion? The question is,
33. shall House Bill 673 pass. Those in favor vote Aye. Those

1. opposed vote Nay. The voting is open. Have all voted who wish?
2. Have all voted who wish? Take the record. On that question,
3. the Ayes are 45, the Nays are 7, none Voting Present. House
4. Bill 673 having received the required constitutional majority
5. is declared passed. 674, Senator Dawson. Read the bill, Mr.
6. Secretary, please.

7. ACTING SECRETARY: (MR. FERNANDES)

8. House Bill 674.

9. (Secretary reads title of bill)

10. 3rd reading of the bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Dawson.

13. SENATOR DAWSON:

14. Mr. President and Ladies and Gentlemen of the Senate,
15. as I stated before, this is the bill that would allow the
16. twenty-five cent per ton to be paid on the export and import
17. of...shipments throughout our ports in the State of Illinois.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. The question is, shall House Bill 674 pass. Those in
20. favor vote Aye. Those opposed vote Nay. The voting is open.
21. Have all voted who wish? Have all voted who wish? Take the
22. record. On that question, the Ayes are 42, the Nays are 9,
23. none Voting Present. House Bill 674 having received the
24. required constitutional majority is declared passed. House
25. Bill 685, Senator D'Arco. Is Senator D'Arco on the Floor?
26. Senator D'Arco. State Treasury special funds. Senator...
27. Senator D'Arco moves to Table...House Bill 685. On the motion
28. to Table, all in favor say Aye. Opposed Nay. The Ayes have
29. it. House Bill 685 is Tabled. 697 is to be recalled. 672, Senator
30. Lemke...622. Read the bill, Mr. Secretary...722...Mr. Secretary,
31. please.

32. ACTING SECRETARY: (MR. FERNANDES)

33. House Bill 722.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Lemke.

5. SENATOR LEMKE:

6. What this bill does is, is makes a change in the code which
7. is already being practiced in a lot of...various areas. I ask
8. for its adoption.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The motion is to...the question is, shall House Bill 722
11. pass. Those in favor vote Aye. Those opposed vote Nay. The
12. voting is open. Have all voted who wish? Have all voted who
13. wish? Take the record. On that question, the Ayes are 55,
14. the Nays are none, none Voting Present. House Bill 722 having
15. received the required constitutional majority is declared
16. passed. 774, Senator Weaver. Read the bill, Mr. Secretary,
17. please.

18. ACTING SECRETARY: (MR. FERNANDES)

19. House Bill 774.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Weaver.

24. SENATOR WEAVER:

25. Thank you, Mr. President. This bill has been amended to
26. make it an annual appropriation rather than a continuing
27. appropriation from the Real Estate and Research and Education
28. Fund at the U of I. If there's any questions, I would be
29. happy to answer them.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there discussion? Is there discussion? The question
32. is, shall House Bill 774 pass. Those in favor vote Aye. Those
33. opposed vote Nay. The voting is open.

PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Have all voted who wish? Have all voted who wish? Take
2. the record. On that question, the Ayes are 55, the Nays are
3. none, none Voting Present. House Bill 774 having received
4. the constitutional majority is declared passed. House Bill 785,
5. Senator Lemke. Read the bill, Mr. Secretary.

6. ACTING SECRETARY: (MR. FERNANDES)

7. House Bill 785.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Lemke.

12. SENATOR LEMKE:

13. What this bill does is amends the County Zoning Act and
14. defines text amendments as changed and also mapped amendments.
15. It also...we worked out the problem we had with it when we
16. were discussing it the other day. We changed it from the...
17. from a simple majority of the quorum of the county board members
18. present to...it presently reads, a majority of the county
19. boards elected. It also...allows...the...a five percent of
20. the landowners to go against the zoning change. I think it's
21. a good bill. I ask for its adoption.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there any discussion? Senator Geo-Karis.

24. SENATOR GEO-KARIS:

25. Will the sponsor yield for a question?

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. He indicates he will yield.

28. SENATOR GEO-KARIS:

29. As you will recall, Senator, the other day my objection
30. was that it allowed a majority of the quorum of the county
31. board to make a decision like this. Has that been changed?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Lemke.

1. SENATOR LEMKE:

2. We changed it from a quorum of those present to a quorum
3. of those elected.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Geo-Karis.

6. SENATOR GEO-KARIS:

7. Of the county board that has to decide it. Is that right?

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Lemke.

10. SENATOR LEMKE:

11. Of the county board. In other words, if you have a
12. county board of thirty, you got to have sixteen people vote
13. for the zoning change.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Geo-Karis.

16. SENATOR GEO-KARIS:

17. Do you mean sixteen people have to vote in the affirmative
18. or do you mean that...nine have to vote in the affirmative of
19. the sixteen?

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Lemke.

22. SENATOR LEMKE:

23. No, the way it reads you have to have sixteen votes. It's
24. similar to...

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there further discussion? Senator Davidson.

27. SENATOR DAVIDSON:

28. I rise in support of the bill. I objected to it last time.
29. I rise in support of the bill because we did change the amend-
30. ment. It is where it has to be a majority of those constitutionally
31. elected to pass a change and if there's objection in it, it goes
32. to extraordinary...majority as it should. There's nothing already
33. in the law about notifying the adjacent...property owners by

1. certified mail, which some have in their ordinance, but it's
2. not in the present State Statute. Rather than add that
3. additional expense, we dropped that idea. I urge a Yes vote.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Rhoads.

6. SENATOR RHOADS:

7. Brief question of the sponsor. If there a different
8. impact on downstate than on Cook County under this bill?

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Lemke.

11. SENATOR LEMKE:

12. Well, Cook County is not involved in this bill. I
13. mean, we're not...we don't have...involvement. I'm involved
14. because Representative Christensen asked me to handle
15. the bill. It was on the Calendar for awhile and I handled
16. it to get it out of committee and...and also to work it so
17. he can get it passed. The problems are in other areas of...
18. of the...State, particular...in areas that he is concerned
19. with. And I think it's a good amendment and I think it aged
20. to a...a more efficient government and less...location. I
21. understand in his area in some of the road districts they
22. can't even find a place to meet and that's the idea of the
23. bill to have meetings...that the county board if they choose to
24. have a meeting in the county board room and not in the road
25. district area. I think it's a good bill.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. The question is, shall House Bill 785 pass. Those in
28. favor will vote Aye. Those opposed vote Nay. The voting is
29. open. Have all voted who wish? Have all voted who wish?
30. Have all voted who wish? Take the record. On that question,
31. the Ayes are 54, the Nays are 1, 1...and none Voting Present.
32. House Bill 785 having received the constitutional majority is
33. declared passed. Is there leave to go back to the Order of House

1. Bill 733 and 761? Senator Bruce was presiding and we skipped
2. over the bills. Leave is granted. On the Order of House Bills
3. 3rd reading, House Bill 733, Senator Bruce. Read the bill,
4. Mr. Secretary.

5. SECRETARY:

6. House Bill 733.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Bruce.

11. SENATOR BRUCE:

12. Thank you, Mr. President. This is an appropriation of
13. fifty thousand dollars that we passed out the substantive
14. legislation to the Department of Agriculture allowing them
15. to regulate and dispose of...starlings that...roost through-
16. out the State of Illinois, particularly in the southern part
17. of the State. Senator Weaver...is fond of this piece of legis-
18. lation, the Audubon Society is fond of it, the bird watchers
19. are fond of it. Someone raised in the question...I think I
20. even hear a starling...going by. The...there is...there is no
21. possibility that any other bird will be destroyed other than
22. the starling. Now, someone wanted to...wanted to say and cry for
23. the birds that this would somehow harm birds. I am assured by
24. the best bird watcher in southern Illinois that the only bird
25. that cohabitates with the starling is the red-winged blackbird
26. and only occasionally. I guess when they get very lonely. But
27. ...only starlings will be handled and the legislation has
28. already passed...passed at a hundred thousand dollars. The
29. Department of Agriculture can handle this. They tell me it's
30. a program that's beginning for fifty thousand dollars. I would
31. certainly solicit your favorable vote. It is...in one community
32. in my district, we had over a half a million of these little
33. rascals come and stay with us and the guano got about...three

1. or...to four inches deep. So, I...and histoplasmosis is some-
2. thing that...each and every one of us suffers from because of
3. ...bird droppings and I...thank you, Senator Davidson. Let...
4. let's go, thank you. Roll call.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. The question is, shall House Bill 733 pass. Those in
7. favor will vote Aye. Those opposed vote Nay. The voting is
8. open. Have all voted who wish? Have all voted who wish?
9. Take the record. On that question, the Ayes are 49, the Nays
10. are 5, none Voting Present. House Bill 733 having received
11. the constitutional majority is declared passed. House Bill
12. 761, Senator Bruce. Read the bill, Mr. Secretary.

13. SECRETARY:

14. House Bill 761.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Bruce.

19. SENATOR BRUCE:

20. Thank you, Mr. President. This is the appropriation to
21. the State Treasurer for both his Operating Budget and for
22. Retirement and Bond and Interest Funds. The Operating Budget
23. was cut seventy-six thousand dollars...in the Senate, it was
24. cut a hundred and eight thousand and nine hundred dollars in
25. the House. There's also a three hundred and twenty million
26. dollar appropriation for Bond, Interest and Retirement. And
27. I would solicit your favorable vote.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Grotberg.

30. SENATOR GROTBORG:

31. Well, thank you, Mr. President. If you'll all recall a
32. few minutes ago, thanks to our friendly opposition they killed
33. the Governor's appropriation. So, we've wiped out the Executive.

1. Here comes another Constitutional officer. We were all
2. helpful in giving him some travel money, now he can travel
3. around the State and sell the farmers on their new opportunity
4. to borrow money. But I'm going to urge all of the members
5. on our side of the aisle in the spirit of good government to
6. vote Yes and tell him how it got there and in a few minutes
7. we'll probably tack the Governor's amendment on something
8. else. I would hope that everybody understands that our
9. Constitutional officers are elected by all of the people,
10. not the General Assembly. They're responsible, we have
11. friendly arguments, but let's not hold back, let's send
12. the Treasurer a message, keep up the good work until election
13. time and we'll get you on the campaign trail.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Totten.

16. SENATOR TOTTON:

17. Thank you, Mr. President and Ladies and Gentlemen of the
18. Senate. I'm not so sure how we should vote. I have it from
19. good word that the Governor is moving the furniture out of
20. his office and out of the Mansion and if we defeat the Treasurer's
21. bill, we can combine the two of them as moving expenses and
22. possibly save some money. So, I think we ought to consider that.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. The question is, shall House Bill...Senator Chew.

25. SENATOR CHEW:

26. Yes, I just got a call from President Reagan to look after
27. his watchdog here in the Senate and...since the Governor is
28. packing up his stuff, I wonder, could you encourage the President
29. to pack up his too?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. The question is, shall House Bill 761 pass. Senator
32. Bruce.

33. SENATOR BRUCE:

1. Well,...awe shucks guys, I mean, we didn't pass the Governor
2. ...we passed fifty percent, we passed the Lieutenant Governor's
3. bill so,...Friedland says he...Friedland even thinks that's
4. okay. So,...what day...I don't know what day it is, but it's
5. ...fifty-eight...alright...fifty-eight...alright. I would
6. appreciate a favorable roll call on this one.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. On...the question is, shall House Bill 761 pass. Those in
9. favor will vote Aye. Those opposed vote Nay. The voting is
10. open. Have all voted who wish? Have all voted who wish? Take
11. the record. On that question, the Ayes are 54, the Nays are 1,
12. none Voting Present. House Bill 761 having received the con-
13. stitutional majority is declared passed. House Bill 766,
14. Senator Carroll. House Bill 794, Senator Bruce. Read the
15. bill, Mr. Secretary.

16. SECRETARY:

17. House Bill 794.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Bruce.

22. SENATOR BRUCE:

23. Thank you, Mr. President. This bill was before the Senate
24. before and passed out and a...House Bill now that Senator D'Arco
25. amended...there's...run into trouble. This only reduces the
26. requirement for creditable service from fifteen to five years
27. for pre-1969 retirees to qualify for the automatic annual annuity
28. increase. There are only five hundred and fifty retirees...that
29. are involved. When we went to the pre-1969, we said...that was
30. the cutoff time. That will include those people pre-1969 in
31. this piece of legislation. Each year the number is declining.
32. And I would...we've passed it once...Senator D'Arco put an
33. amendment on...it...and I would appreciate your favorable vote.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Berning.

3. SENATOR BERNING:

4. Just a question of the sponsor. We've had this issue
5. before us on one or two occasions. At least in the other
6. instances we made it prospective. Here, if I understand correctly,
7. you're making...going back and picking up a...a group of people
8. and I'm not so sure but what they are the ones that we've already
9. covered in House Bill 1009. Is that not true, Sir?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Bruce.

12. SENATOR BRUCE:

13. I'm sorry, we were...

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Berning, would you repeat...

16. SENATOR BRUCE:

17. ...yes, it...it was passed in 1009, Senator Berning. That's
18. what I said in my opening comments. I...I think that's still
19. in the House.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Berning.

22. SENATOR BERNING:

23. 1009 was last year,...Senator, and it...provided benefits
24. for the...this same group of people.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Bruce.

27. SENATOR BRUCE:

28. Well, 1009 may still be in the House, but it wasn't in it
29. anyway. Whatever happened to it, I'm told by my pension expert
30. that 1009, which...Stuffle and I both had last year,...and...and it
31. did pass by the way. I thought we were talking about this year.
32. Well, we're talking about School Aid Formula too and I keep
33. getting lost with all these figures, but it...it wasn't in 1009.

1. That's why it's in this one, Senator. It just picks up those
2. five hundred and fifty retirees when we made that cutoff date
3. for the increase...the automatic increase. It goes back and
4. picks up those five hundred and fifty senior teachers who are
5. now each year getting older and it just gives them that three
6. percent kick that we gave and we...remember we increased the
7. contribution rate. Every year that contribution rate continues,
8. but the number of retirees is declining.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there any further discussion? If not, Senator Bruce
11. may close. The question is...oh, Senator Berning.

12. SENATOR BERNING:

13. Yes, thank you. I agree with Senator Bruce on one thing.
14. The figures keep flying back and forth so rapidly here it's
15. difficult to know where we stand and what we really have done.
16. I am of the opinion and my notes indicate that this group of
17. people has already been taken care...of under House Bill 1009
18. and so we have...given them an increase in their pension...
19. it's not in their pension, it's a gratuity that somebody else
20. is paying for, which is the same with all others that we go
21. back and provide additional benefits for earlier retirees. No
22. way did they pay for it. So, it isn't anything that they have
23. coming to them, but we have taken the position that we will
24. provide additional benefits. But I believe that this objective
25. has already been accomplished and it would...while there isn't
26. a great deal of expense. No, it's only...forty-eight thousand
27. dollars next year with an increased underfunding of seven
28. hundred and sixty thousand dollars, but as has been stated
29. before, it's a few thousand here and a million and so there and
30. first thing you know we're...overextended. I would respectfully
31. suggest that this bill...be defeated so that we know finally
32. where we stand and not...provide duplicating...efforts.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Bruce may close debate.

2. SENATOR BRUCE:

3. Well, thank you. Senator Berning, 1009 did not affect
4. this particular group of individuals. As if you know, there was an
5. amendatory veto and we went through that whole thing again.
6. All this does is make the pre-1969 and the post-1969 annuitants
7. ...places them in the same category. There are five hundred
8. and fifty people involved in this. Senior teachers...they will
9. get the benefit contained in this legislation, even if they
10. retired prior to 1969. There was an increase in the contribution
11. rate. The people...deriving that benefit are dying off every
12. year. Ask for your favorable vote. We passed it, I think,
13. twice out of here already.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. The question is, shall House Bill 794 pass. Those in favor
16. will vote Aye. Those opposed vote Nay. The voting is open.
17. Have all voted who wish? Have all voted who wish? Take the
18. record. On that question, the Ayes are 45, the Nays are 8,
19. none Voting Present. House Bill 794 having received the
20. constitutional majority is declared passed. House Bill 795,
21. Senator Bruce. Read the bill, Mr. Secretary.

22. SECRETARY:

23. House Bill 795.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Bruce.

28. SENATOR BRUCE:

29. Thank you, Mr. President. The bill does two things. As it
30. came over here, it provided that the Board of Trustees of the
31. Teachers' Retirement System would get petitions for people to
32. be on the board rather than the State Board of Education, which
33. is where they wanted to put it. It was just a headache for them

1. to handle the petition. An amendment was added to that...which
2. increases the disability retirement allowance from thirty-five
3. percent to fifty percent of the most recent annual salary. And
4. it deletes the language that provides for an offset of one-half
5. of one percent of the retirement allowance for each month the
6. member is less than fifty-five. And...this is similar in...in
7. nature to the Chicago Teachers' Retirement System, which also
8. provides a permanent disability benefit. I would ask for your
9. favorable consideration.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there any discussion? Senator Berning.

12. SENATOR BERNING:

13. Thank you, Mr. President. I will have to agree fifty percent
14. with Senator Bruce. The bill, as originally presented to the...
15. Senate and as it went to and came out of committee, was totally
16. approved by the Pension Laws Commission and was a laudable bill.
17. It's the amendment which makes this bill...unacceptable and I
18. have caused to be distributed on each member's desk a summary of
19. it and if you'll turn to page 2, if you have kept it, you will
20. find that the increase in the annual cost for just this one
21. amendment is one million one hundred thousand dollars annually
22. and represents a .05 percent of payroll costs, which will, again,
23. have to come out of the General Revenue Funds. For that reason,
24. Mr. President and members of the Senate, I respectfully suggest
25. that 795, as amended, does not deserve your support and ought
26. to be defeated.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there any further discussion? If not, Senator Bruce may
29. close debate.

30. SENATOR BRUCE:

31. Thank you. The fifty percent is standard...or common in
32. many of the other systems in the State of Illinois. This just
33. makes them common to the other systems. As I pointed out, the

1. Chicago Teachers' Retirement System also provides for a permanent
2. disability benefit. I would ask for your favorable consideration.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. The question is, shall House Bill 795 pass. Those in favor
5. will vote Aye. Those opposed vote Nay. The voting is open.
6. Have all voted who wish? Have all voted who wish? All voted
7. who wish? Take the record. On that question, the Ayes are 40,
8. the Nays are 13. House Bill 795 having received the constitutional
9. majority is declared passed. House Bill 811, Senator McLendon.
10. House Bill 811, Senator McLendon. House Bill 815, Senator
11. Nimrod. Read the bill, Mr. Secretary. For what purpose does
12. Senator Davidson arise?

13. SENATOR DAVIDSON:

14. Well, somebody said they're holding 805 and nobody has
15. talked to me about 805 or any amendments or anything and if it's
16. ready to go, let's go.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Rock.

19. SENATOR ROCK:

20. Yeah, my understanding was that it was on the list of
21. possible recall.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. House Bill 815, Senator Nimrod. Read the bill, Mr. Secre-
24. tary.

25. SECRETARY:

26. House Bill 815.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Nimrod.

31. SENATOR NIMROD:

32. Thank...thank you, Mr. President and Ladies and Gentlemen
33. of the Senate. House Bill 815 would...exempt the shelter care

1. facilities from the Health Finance Planning Act. And this Act...
2. requires the health...facilities to obtain a certificate of
3. need to expand or purchase equipment or to make changes in
4. their physical plants. These shelter care facilities, however,
5. are not truly health care facilities and should never have
6. been included in the certificate of need to begin with. And
7. the requirements are, obtain permission from the State planners
8. or for physical changes in shelter care facilities can delay
9. the capital expenditures. Construction costs can increase
10. substantially during these times and costs to the State as well
11. as the facility. I think the...Legislators and the public
12. are concerned about the quality of care and we expect the
13. Department of Public Health to rigorously enforce the physical
14. standards of these programs. But some of the changes mandated
15. by one arm of government are sometimes stymied, as we know,
16. and delayed by another. The inclusion of shelter care facilities
17. is not necessary for Illinois to retain the Federal Health
18. Planning Funds and shelter care facilities are not included
19. in the Federal Certificate of Needs Statutes. This was an
20. idea that was created right here in Illinois and its result
21. has been...not been very encouraging. In fact, it's been
22. detrimental. I would urge a...a favorable roll call and I'd
23. be happy to answer any questions.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there any discussion? Senator Marovitz.

26. SENATOR MAROVITZ:

27. Thank you, very much, Mr. President and Ladies and Gentle-
28. men of the Senate. I rise in strong opposition to this bill.
29. It is a terrible bill. It takes...shelter care out of the
30. certificate of need process, which is a process that will
31. determine whether facilities are actually needed, whether
32. there are...duplicitous service, whether there's overconcentration
33. of beds in a given area,...what the impact will be on the

1. community. And by bypassing in total the certificate of need
2. process we are going to allow these shelter care facilities
3. to get into the nursing home business and then for a very quick
4. and cheap process and then summarily...advance from shelter care
5. to intermediate care or other...forms of care in nursing home
6. service. There...there is absolutely no need for this bill
7. whatsoever. There has not been a denial of shelter care homes
8. who were applying for a certificate of need. They haven't been
9. denied of getting into the business. There's...that's why
10. there's no need for this bill. If we have, in fact, denied
11. people the right who want to open shelter care facilities...
12. if certificate of need process had denied them the right, I'd
13. say let's pass this. They haven't been denied the right, there
14. hasn't been any interruption of business by those who want to
15. get into the shelter care facility, but by letting them get
16. around the process, by taking them out of the certificate of
17. need...provisions, we are going to loosen up the entire pro-
18. cess, allow overconcentration, not take a look at what the
19. impact is going to be on communities, whether the beds are
20. needed there or in other areas and allow these shelter care
21. facilities to advance to intermediate care without going through
22. the regular process, going...through the...the cheaper and
23. more speedy process by...removing the intermediate care...
24. rather the certificate of need process from shelter care. This
25. really is a terrible bill. It did not have a complete hearing
26. and...I have had...a...hundreds of calls from those in community
27. mental health...services in...in my district and uptown in
28. Edgewater, in Lake...Lakeview, in the north town area, in the
29. Rogers Park area they are all vehemently opposed to this bill,
30. as are the community newspapers who know what the impact of this
31. legislation would be. I...I've spoken to the sponsor, I would
32. like the opportunity to work something out. We could do that
33. by putting it on the...putting it back in committee and working

1. on an amendment and bringing it back in the fall. I'd be more
2. than happy to work with the sponsor. At this time, this bill
3. is a terrible bill and will have a really drastic impact on
4. communities who now have...shelter care, intermediate care,
5. and skilled care nursing centers. I would hope that the sponsor
6. would take this out of the record. If not, I would solicit a
7. No vote. It is a very bad bill and would set a very bad precedent.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Rock.

10. SENATOR ROCK:

11. Thank you, Mr. President and Ladies and Gentlemen of the
12. Senate. I, too, rise in opposition to House Bill 815. I can
13. recall the rhetoric on this Floor when we passed, with some
14. great fanfare...under the...cosponsorship, as I recall, of...
15. Congresswoman Martin and State's Attorney Daley, the Nursing
16. Home Care Reform Act of 1979 that was to solve all present and
17. future problems. One of the requirements under that act was
18. to provide for the licensure of shelter care facilities and
19. now here we come back and say, oh, well, we didn't really mean
20. that. I think we did mean it and I think they ought to be
21. properly subject to State scrutiny and licensure. And I
22. would urge a No vote.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there further discussion? Senator Nash.

25. SENATOR NASH:

26. Mr. President and Ladies and Gentlemen of the Senate, I,
27. too, arise in opposition to this bill. As Chairman of the
28. Committee on Public Health, this bill was let out...because
29. at that time there was no opposition to the bill. Originally,
30. it was going to go to a study subcommittee and...the Department
31. of Public Health told us that there was no opposition and would
32. only conform to...the Federal Statutes. We find now, after that,
33. there is a lot of opposition. I urge your No vote.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Further discussion? If not, Senator Nimrod may close
3. debate.

4. SENATOR NIMROD:

5. Thank you, Mr. President and Ladies and Gentlemen of the
6. Senate. There was debate and there was conversation and I'm
7. surprised to hear some of the comments I hear on the other side.
8. The Department of Public Health does support this bill. There
9. is going to be continued licensing required. All this says
10. is certificate of need. Now, all we're doing is removing it...
11. from the Health Facilities Planning Act. The Health Facilities
12. Planning Act...the certificate of need is for hospitals, not
13. for our...care homes, which...our shelter care facilities,
14. which, in fact, should be removed and should not be under the
15. certificate of need. You shouldn't have to control the number
16. of beds there are going to be for nursing homes...just because
17. ...you control the hospital beds. Now, I think that...that...
18. one has nothing to do with the other. I think Senator Marovitz
19. has indicated to me that he's opposed to the bill and said it
20. was terrible, but he didn't tell us why. He just said he heard
21. from some people that were opposed to it. I have heard from no
22. one that's opposed to it. A fact, I know that all the health
23. groups that are involved, all support this bill. So, it seems
24. to me that the only ones...the only ones who are really opposed
25. to it...it might affect some neighborhoods...that are involved
26. in the City of Chicago, but...certainly they ought to be able
27. to get their act in line and we should not be controlling or
28. inhibiting people from opening up nursing care facilities, which
29. will be licensed and which will be maintained according to
30. standards. And this is endorsed in support by the...by our public
31. ...Department of Public Health and supported by all the health
32. facilities that are concerned with licensing or with controlling
33. the facilities. This is a good bill and we should not leave

1. it under their control. The...the inclusion of this...was an
2. idea that has come from Illinois. It is not required under any
3. ...to retain any Federal funds for either health planning or
4. otherwise. It would...no way inhibit us. In fact, it might
5. improve the quality by allowing some competition to get into
6. the field. I would urge an Aye vote on this bill. Thank you.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. The question is, shall House Bill 815 pass. Those in
9. favor will vote Aye. Those opposed vote Nay. The voting is
10. open. Have all voted who wish? Have all voted who wish?
11. Have all voted who wish? Take the record. On that question,
12. the Ayes are 28, the Nays are 24,...Senator...Nimrod seeks
13. leave to have House Bill 815 put on the Order of Postponed
14. Consideration. Is leave granted? Leave is granted. House
15. Bill 823, Senator Bruce. Read the bill, Mr. Secretary.

16.
17. END OF REEL
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1. SECRETARY:

2. House Bill 823.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Bruce.

7. SENATOR BRUCE:

8. Thank you, Mr. Chairman...Mr. President, members of the
9. Senate. This bill is a simple bill that will be a great deal of assistance
10. to the merchants around the State of Illinois. Deals with
11. the issuance of checks by financial institutions throughout
12. the State. At the present time, approximately eighty percent
13. of the bad checks, which are handled by merchants throughout
14. the State of Illinois are numbered less than the number two
15. hundred. What this bill says, it gives notice to the merchant
16. that he is dealing with a person who has recently opened an
17. account. The way these quick check artists go in, they go
18. in, open four, five accounts, kite eighteen hundred dollars worth of
19. checks in a day and then leave town. This says that when
20. you open an account, you have to put the month and the day
21. in which the account was opened on the face of the check.
22. Now, no one who...who is in business is affected. Only
23. affects consumer accounts and no check that you presently
24. have is affected because it only affects new accounts,
25. opened after the effective date of this Act. So if you've
26. got ten thousand checks salted away in your dresser drawer,
27. don't worry about it, it doesn't apply to you. 'Cause everyone
28. of those checks can be used because it only applies to new
29. accounts opened after the effective date. It only apply...shall
30. not apply to temporary checks and there is no liability for
31. any check printer. We talked to the people from Minnesota,
32. Deluxe Check Printing, they were concerned about their
33. liability. If they printed a check and didn't know that it was
a new account...no liability whatsoever, this just says

1. new accounts, you have to put the month and the day in which
2. the account was opened, for consumer accounts after the effective
3. date of this Act. It was substantially changed, many of the
4. objections you've heard about this bill have been removed.
5. The Retail Merchants Association would very much like to
6. have this bill. The...the incidents of bad checks...is
7. astounding in this State and this bill would go a long
8. way toward stopping issuance of bad checks to merchants.
9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there any discussion? Senator Geo-Karis.

11. SENATOR GEO-KARIS:

12. Mr. President, Ladies and Gentlemen of the Senate. I
13. rise in support of this bill. As a former Assistant State's
14. attorney, I can tell you, the people who wrote bad checks
15. used to get by with practical murder on them. I think it's
16. high time we tighten the laws and I hope we can tighten
17. the criminal laws on it when they still go in and write
18. indiscriminate checks for any amounts of money and deprive
19. other people their money and their goods and they're out
20. floating around. So I'm...certainly in great favor of this
21. bill and I speak for it.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Carroll.

24. SENATOR CARROLL:

25. Thank you, Mr. President and Ladies and Gentlemen of
26. the Senate. I'm rising in opposition to this bill, and
27. let me explain why. The idea sounds good and as I think
28. Senator Bruce is truly aware, like...you're kind of shooting
29. a mouse with a cannon. It's not going to do anything. It
30. has no impact at all, and maybe that's why a lot of people
31. like voting for it. What you're really saying is, if the
32. guy is straight and honest and moves into town and says to
33. the banker, yes, this is my personal only account, they'll
start it at 101 and they'll put the date on it. And when

1. he goes into a store, the store will know that the account
2. was just opened and it's got a low number on it. Now, what
3. happens to you when you come down to Springfield next year
4. and you want to open an account down here. Maybe you're
5. not worried about being slightly inconvenienced because
6. you moved it from one bank to another and every time you
7. go into the drugstore or go into the supermarket, they
8. ask you to get out of line so that they can call and check
9. because it has a low number, that it might be a new account,
10. it might not have enough money in it and you're going to have
11. to sit there and wait. But what is really silly about it altogether
12. is, all you got to do when you go into the bank, is say, this is
13. not for personal purposes only, I want to also use it for
14. something else whether you mean it or not and you can start
15. it at any number and do anything you want with it. The point
16. is, the people they're worried about are really going to just
17. walk in and say, this is not for personal purposes, so start
18. it at five thousand...what's today's date...start it at fifty-
19. eight, and they'll do it. I mean, you know, it's silly.
20. So you're not going to really impact those who are going in
21. and kiting checks because all they have to say is, well this
22. isn't only for personal reasons. So I think we're...we're
23. actually just being very silly and allowing people who shouldn't
24. be embarrassed to be embarrassed when they're going in and
25. shopping.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? Senator Schaffer.

28. SENATOR SCHAFFER:

29. Mr. President and members of the Senate. I respectfully
30. disagree with my Democrat colleague from the other side. I think the
31. bill does, in fact, have merit and will, in fact...serve a
32. very useful purpose. I guess, Senator Carroll, I would probably
33. agree with you that the professional criminal, the person who

1. makes a living, probably has figured out a way to print their
2. own checks anyway and there's very little we can do to control
3. them. I've been somewhat surprised to find that the retailers
4. in my district indicate that they lose one and a half percent
5. of their gross sales a year to bad checks or nonsufficient
6. fund checks. I think this, at least, gives them a chance
7. to spot some of the more obvious potential problems and
8. allows them to, you know, at least protect their investment
9. a little. I think this is an idea that will be very little
10. inconvenience on the banks of this State and I think it could
11. very well save many of our retail merchants, particularly the
12. smaller ones, a great deal of...of loss. Loss, which, by the
13. way, is, in fact, passed on to the rest of us. Because obviously,
14. if they get stiffed that goes into the cost of doing business
15. and they pass it on to those of us who are not in the habit
16. of bouncing checks.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Marovitz.

19. SENATOR MAROVITZ:

20. Thank you, very much, Mr. President and Ladies and Gentlemen
21. of the Senate. I have a couple questions of the sponsor.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. He indicates he will yield.

24. SENATOR MAROVITZ:

25. Well...Senator Bruce, this bill purports to compel
26. Federally chartered banks as well as State chartered banks
27. to comply with the...the purview of the bill. Is that correct?

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Bruce.

30. SENATOR BRUCE:

31. Well, your use of the word, purports, is the appropriate
32. word, in that it states that they are covered and purports
33. to cover them, but, in fact, it would not since they are

1. Federally chartered.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Marovitz.

4. SENATOR MAROVITZ:

5. So what we're doing...although the bill is written
6. to cover Federally chartered institutions, it...it can't
7. and that means that State institutions would have to comply
8. with the...the elements in 823, but Federally chartered
9. banks would not and this would jeopardize dual chartering
10. which occurs in the State of Illinois. I think in the...in
11. the time, especially my colleagues on the other side of
12. the aisle, know we're...we're in an era of deregulation
13. and people around the country have felt the infringement, they
14. say, according to studies of government regulation all too
15. often, while I can't think of a greater regulation than we're
16. doing in this legislation and this seems to be another, just
17. another infringement. People who are shopping around at
18. banks for the very best terms and the very best services,
19. are going to really be fearful of pulling their accounts
20. from one bank to another because they are going to be holding
21. up a red light everytime they...new check at 101, comes into
22. a merchant, they're going to be scrupulously analyzed and
23. this is going to severely impact on consumers who really
24. want free access to the marketplace and...and to shop
25. around for the best terms available. This legislation does
26. not...does not specify who is going to administer 823.
27. It doesn't specify what the penalties for noncompliance
28. of this legislation are and I just don't think that, whatever
29. the problems are in the marketplace, this legislation is
30. going to get to them and I would solicit a No vote.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Coffey.

33. SENATOR COFFEY:

1. Yes, Mr. President, I have a question of the sponsor.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. He indicates he will yield.

4. SENATOR COFFEY:

5. Yes, Senator Bruce, in the case of community...as...

6. university community, such as my own where Eastern Illinois

7. University lies, students come in, you know, in the fall they

8. come in and they bring their monies that their parents have

9. given them to last them some four, five, six months when they

10. come in for their rent and their tuition and so on, they

11. come in, they start new accounts, thousands of new accounts.

12. 'Cause those people, at the...the students at these universities...

13. are they...is this going to be a penalty to those people? Is

14. this...this a bill to address problems by students coming

15. in to those kind of communities?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Bruce.

18. SENATOR BRUCE:

19. No, it would affect them, but only in this way, Senator

20. Coffey. If they went to the Bank of Charleston and opened

21. an account and when they got their account checks printed, they

22. would start with No. 101 and the date would be stamped on the

23. check that this account was opened in September of 1981.

24. You know, new account, September '81, that's the only difference

25. between the check presently and now. And so there wouldn't

26. be any penalty.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Coffey.

29. SENATOR COFFEY:

30. Well yes, I...I'm rising in opposition of this bill.

31. First of all, as I just mentioned, we have somewhere around

32. ten thousand students comes...into Charleston each fall to

33. be enrolled in school. There's people bringing monies to

start new accounts. And some people might say, well these

1. new accounts coming into town are bad. We'll I've been in
2. business in...in the Charleston area for some twenty years,
3. I rent apartments to students. They're some of the best, some
4. of the best paying people that we have. We're going to take
5. those kind of people, we're going to penalize them, we're going
6. to harass them with some more additional questions every time
7. they write a check. I was in the florist business for fourteen
8. years, took many checks, proms and all other times, never turned
9. down a check, was never beaten. You know, the ones I was beaten
10. with were some local people that had been banking for years
11. and their checks were never any good, and we just...new employees
12. would get caught up by not identifying the people when they come
13. into the...the business and they would take their check again
14. and...and then I would go back and pull checks that I'd received
15. several times before. Now, if we're concerned about the loss
16. of bad checks, I think we just passed a bill...a couple days
17. ago that was going to stiffen the penalty on persons writing
18. checks that were bad and, you know, I was in favor of that.
19. And if a person, in fact, is passing bad checks, then maybe
20. we should address that. A person starting a new account doesn't
21. necessarily mean they're going to be bad and I don't think that
22. they should be held up because they've started a new account.
23. As was just mentioned, if you come to Springfield and start a
24. new account, you're going to be one of those persons. Now, they
25. say the longer you have the account, the better you are, well
26. I just started a new account in Springfield, I put sixty-five
27. hundred dollars in it when it started and I'll assure you, if
28. I write one today, there's not sixty-five hundred dollars in
29. that account. So my account is...is...has a lot less dollars
30. in it today than it did when I originally started the account.
31. So I don't know how check numbers would have anything to
32. do with whether my check was bad or good. And I would just
33. ask the members of this General Assembly, remember when you
send your kids away to school, that all the merchants are going

1. to do when they come into the community, they're...they're going
2. to start getting on the kids about their checks and some of the
3. rest of us that start new accounts, it's not going to help
4. anything. We've passed the penalty, now let's just stick with
5. that and kill this bill.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Thomas.

8. SENATOR THOMAS:

9. Thank you, very much, Mr. President. There's probably no
10. industry in the State of Illinois that has more trouble with...
11. with the problem of bad checks than our retail merchants.
12. However, as I look at this bill, the merchant can only be
13. helped when the bank is open. Because if the merchant
14. sees a low numbered check, identifies it as a new account, the
15. only way that merchant is going to find out, if in fact, there
16. are sufficient funds in this account to handle it, is if
17. the merchant can contact the bank to verify that, in fact,
18. there is money in this account. So, in other words, on a busy
19. Saturday afternoon when you're in a grocery store or in the
20. evening when you're at a shopping center trying to get a
21. check cashed and the bank isn't open, how is that merchant
22. going to find out if there's any money in the account. Like
23. Senator Coffey, I too, have had a personal experience with
24. this. When I moved from Ottawa to East Moline, a number of
25. years ago, I put a thousand dollars in a new checking account
26. to coverage damage deposit, rent, utility hook-ups, groceries
27. and a myriad of other costs to get established in a new
28. community. With check No. 102, at about two o'clock on a
29. Saturday afternoon with a shopping cart full of frozen goods
30. and approximately thirty shoppers behind me, also with
31. frozen ice cream and all other kinds of frozen perishables,
32. I had a clerk ask me if this were a new account. I explained
33. that, yes, in fact, it was. She said we'll have to check with

1. your bank. She came back five minutes later, obviously could
2. not reach my bank, asked to see identification. My driver's
3. license and all of my ID's still showed a town ninety miles
4. away, so it couldn't even be verified that I was a resident
5. of that community and after finding the manager of the grocery
6. store, some twenty minutes later, I finally got my check approved.
7. It was, to say the least, a humiliating experience. Furthermore,
8. where I live is on a two state border and when Iowa merchants
9. or when Iowa consumers, rather, come over to my side of the
10. river to buy groceries and other goods, they don't have that
11. information on their checks. I have supported the retail
12. community in such things as Investment Tax Credit among other
13. things, and I will continue to do so, but I just personally
14. think this is not going to solve the problem that they have.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there further discussion? If not, Senator Bruce may
17. close debate.
18. SENATOR BRUCE:

19. Well, to Senator Thomas, just at the...the tail end,
20. Senator, you asked what protection it has for the merchant
21. when the bank is closed. It alerts him to the fact that
22. he may have a bad check, that's all and if he still wants to
23. take it, he can...that is not a problem. But it...it...it is
24. a way of helping merchants who are getting eighty percent
25. of their bad checks on new accounts, that's all it does. I
26. think we get excited, Senator Coffey, I...I know that you
27. have a lot of students in your district, I have four campuses
28. in my district where they come and open new...new accounts.
29. And all it says when they open up a new account, it says
30. new account. And it is true that it's going to be somewhat
31. of an imposition...against the honest consumer. But the
32. problem is if the honest consumer isn't willing to put
33. up with that minor inconvenience, we're going to find ourselves

1. with systems where you cannot cash checks. Simply because
2. merchants, grocery stores and others, get stuck with so
3. many bad checks from people who just open an account. And
4. all this bill merely does, is you put on the face of the
5. check when the account was opened. I don't think that's
6. asking too much, the check printing companies have no trouble
7. with it, the banks that...that we've talked to say, it's
8. easy to do, Master and Deluxe Check Writing...Printing
9. Companies, as long as the liability is removed, they have
10. no difficulty printing it on there. It does not apply
11. to temporary checks, if you move in and...and you've been
12. there only a couple of days and they give you the twenty-five
13. temporary checks, that doesn't apply to this and it only applies
14. to consumer accounts. So, Senator Thomas, I think that it
15. might have helped you...if we had had this and if Iowa wants
16. to pass this bill, that would be fine. But I really think
17. that this bill would help the everyday merchant who handles
18. thousands and thousands of checks, we put the burden on him
19. to do that, we wanted a cashless society and when he has a
20. loss, we're not willing to help him. I think this bill helps
21. a little. It doesn't meet all the requirements that we want,
22. but I think it goes...far toward helping the merchant cash
23. checks and know when he might have a bad one. I ask for your
24. favorable vote.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. The question is shall House Bill 823 pass. Those in
27. favor will vote Aye. Those opposed vote Nay. The voting
28. is open. Have all voted who wish? Would you vote me Aye.
29. Have all voted who wish? Have all voted who wish? Take
30. the record. On that question the Ayes are 36, the Nays
31. are 18, 1 Voting Present. House Bill 823, having received
32. the constitutional majority is declared passed. House Bill
33. 886, Senator Taylor. Read the bill Mr...yes, Senator Bloom.

1. SENATOR BLOOM:

2. Yes, Mr. President. 852 is right after 823, it's in shape
3. and ready to roll.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Well, Senator... Senator Rock has asked that that be held.
6. There was a note on the desk that there's a possible amendment
7. to it, so...

8. SENATOR BLOOM:

9. Are there amendments filed?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. They are being drawn now.

12. SENATOR BLOOM:

13. Well that's...

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. So, if you would...

16. SENATOR BLOOM:

17. Well let me ask you this, you know, I...it's nice that
18. Senator Rock lets the sponsor know what games are being played.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Well, the note was on the desk. I'm not sure it was
21. from Senator Rock.

22. SENATOR BLOOM:

23. We're ready to roll.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. House Bill 886, Senator Taylor. Read the bill, Mr. Secretary.

26. SECRETARY:

27. House Bill 886.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Taylor. For what purpose does Senator Rhoads
32. arise?

33. SENATOR RHOADS:

1. Thank you, Mr. President and members of the Senate. The
2. sponsor of House Bill 852, Senator Bloom had requested that
3. his call...that his bill be called in the regular order of
4. the call. And I think the Presiding Officer should accede
5. to that request.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Thank you. Senator...Taylor on 886. Yes, Senator Walsh.

8. SENATOR TAYLOR:

9. Thank you, Mr. President and members of the Senate.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Walsh, what purpose do you arise?

12. SENATOR WALSH:

13. It...it isn't a question of...of discretion, Mr. President.
14. The...the order of business is that bills be...be called in
15. sequence. And Senator bills...Senator Bloom's bill is...is
16. on the Calendar and in the order of call, it...it should
17. be called by the Presiding Officer.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. There's been a request that this bill be held to accommodate
20. other Senators and the Chair...in the absence of any...concerned
21. rule on this, the Chair will move on to the order of business
22. of House Bill 886. Senator Keats, for what purpose do you arise?

23. SENATOR KEATS:

24. I appreciate Mr. President, I understand the problem, but
25. I wanted to mention, you may remember yesterday, about...little
26. more than twenty-four hours ago today, I asked for the courtesy
27. of having a bill held that I would have liked to amend and if
28. you may remember, the sponsor didn't want to and in a friendly
29. way I was informed where I could go, but it was a friendly
30. way and I'm not complaining, but it's exactly the same. I
31. wanted a bill held and I wanted to put an amendment on and
32. I certainly wasn't extended this courtesy and I, at least, was
33. straight enough to tell the sponsor about it so he knew what

1. was going on.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Walsh.

4. SENATOR WALSH:

5. Mr. President, I think what you're saying is, there was
6. a request that the bill be held and the sponsor is...is indicating
7. that he does not wish to grant the request. That being the case,
8. the bill must be called in...in order.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Rock.

11. SENATOR ROCK:

12. Well, we will certainly, as we always do, accede to
13. Senator Walsh's most gracious request, but lest there be any
14. doubt, Senator Carroll spoke with Senator Bloom at my request,
15. not too very long ago and he was well aware that there was an
16. amendment being drafted. Now, if you wish to call, 852, let's
17. call the...thing.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Bloom...Senator Carroll. Senator Bloom.

20. SENATOR BLOOM:

21. Let me...let me respond to Senator Rock. When you said,
22. not too long ago, you were precisely correct, it was just as
23. we were reaching...reaching the close of debate on 823. And
24. I said, "what for" and as I recall he said, "an amendment is
25. being drawn" and I said, "does that involve the public utilities
26. section," and the answer was, "probably." So I'm to hold the
27. bill for an amendment that probably will be the public
28. utilities section, but of course it could probably be something
29. else. Now, we had extended debate and this Body, on 2nd
30. reading, decided to leave the public utilities section with
31. the Attorney General. Now the Attorney General is perfectly
32. happy with the budget and with the cuts in its present form
33. and let the Governor, who signs these bills, decide whether

1. he wants to do public utilities or the Attorney General.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator...

4. SENATOR BLOOM:

5. But it seems to me monumentally petty to say, you know,
6. if you don't let us...don't let us have another crack at the
7. public utilities section...

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator...

10. SENATOR BLOOM:

11. ...we'll kill his appropriation.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator, you've won your argument. I...I'm sure that
14. it's fallen on the ears of the members on the...side of the
15. aisle and they'll vote accordingly. Will you take...Mr. Secretary,
16. take 886 out of the record and we'll go to the order of House
17. Bill 852, Senator Bloom. Read the bill, Mr. Secretary.

18. SECRETARY:

19. House Bill 852.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Bloom.

24. SENATOR BLOOM:

25. Well, thank you, thank you, Mr...President. There has
26. been some discussion about this appropriation. We had an
27. extensive debate on 2nd reading. The Body decided to leave
28. the public utilities section with the Attorney General's Office.
29. And...and for those of you who forgot, the Federal funding
30. was running out. This provides for the Attorney General to
31. provide expert witnesses at rate hearings, not just electricity,
32. but all rate setting hearings before the Commerce Commission.
33. There was no little debate, as I said, but the Body decided

1. to leave it there. I'll answer any questions, otherwise, I'll
2. urge a favorable vote.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. Is there any discussion? If not, the question is shall
5. House Bill 852 pass. Those in favor vote Aye. Those opposed
6. vote Nay. The voting is open. Have all voted who wish?
7. Have all voted who wish? Take the record. On that question
8. the Ayes are 29, the Nays are 4, House Bill...House Bill 852,
9. having failed to receive a constitutional majority is declared
10. lost. House Bill 886, Senator Taylor. Read the bill, Mr. Secretary.
11. Senator Geo-Karis, for what purpose do you arise?
12. SENATOR GEO-KARIS:
13. Mr. President and Ladies and Gentlemen of the Senate.
14. A point of personal privilege.
15. PRESIDING OFFICER: (SENATOR SAVICKAS)
16. State your point.
17. SENATOR GEO-KARIS:
18. I...I...I think you're one of the most articulate, most
19. capable, Presidents we have, but I timed this closing and
20. the closing was within three seconds and I know you've gone further
21. ...one wants to vote and so forth...it goes on and on. I just
22. thought I'd call it to your attention. Maybe you didn't
23. notice.
24. PRESIDING OFFICER: (SENATOR SAVICKAS)
25. I appreciate that, thank you, Senator. Read the bill,
26. Mr. Secretary.
27. SECRETARY:
28. House Bill 886.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. PRESIDING OFFICER: (SENATOR SAVICKAS)
32. Senator Taylor.
33. SENATOR TAYLOR:

1. Thank you, Mr. President and members of the Senate.
2. House Bill 886 prohibits the housing authorities in the
3. cities of over five hundred thousand from building or
4. acquiring high-rise structure of more than five stories
5. unless they are to be used exclusively by senior citizens,
6. defined for the purpose of the Act as persons sixty-two
7. years of age or older. I know of no objection to this
8. proposal, Mr...President and I solicit your favorable
9. support for House Bill 886.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Is there further discussion? If not, the question is
12. shall House Bill 886 pass. Those in favor will vote Aye.
13. Those opposed vote Nay. The voting is open. Senator, would
14. you vote me Aye. Have all voted who wish? Have all voted
15. who wish? Have all voted who wish? Take the record. On
16. that question...Senator Taylor wishes to have House Bill 886
17. placed on the Order of Postponed Consideration. Is leave
18. granted? Leave is granted. House Bill 900, Senator Davidson.
19. Senator Bloom, for what purpose do you arise?

20. SENATOR BLOOM:

21. Well, on behalf of Senator Taylor, I'd like to thank
22. you, you took thirty-five seconds on that one.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Well, I had to listen to Senator Geo-Karis' concerns.

25. SENATOR BLOOM:

26. Roughly twelve times longer than you did for the Attorney
27. General's budget. For that, Senator Taylor is very grateful.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. House Bill 900, Senator Davidson. Read the...Senator
30. Thomas.

31. SENATOR THOMAS:

32. Yes, thank you, Mr. President. On a point of personal
33. privilege. I would like this Body to know that I purchased

1. four beer glasses from Senator Grotberg, you know the kind,
2. the gold leaf with the official seal. The bill came to
3. twenty-one dollars and five cents. I just wrote him a
4. check on my brand new INB checking account, check No. 132,
5. and thanks to this Body, because we just passed out 823, he
6. won't take my check.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. House Bill 900, Senator Davidson. Read...read the bill,
9. Mr. Secretary.

10. SECRETARY:

11. House Bill 900.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Davidson.

16. SENATOR DAVIDSON:

17. Mr. President and members of the Senate. I ask leave
18. to refer this House Bill 900 back to the Revenue Committee
19. 'cause Senate Bill 477 has already passed the Senate.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there any discussion? If not, the question is
22. shall House Bill 900...I'm sorry, Senator, I was talking
23. to our Parliamentarian. Senator Davidson.

24. SENATOR DAVIDSON:

25. No, I asked leave to refer House Bill 900 back to the
26. Senate Revenue Committee.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. You've heard the motion. Is leave...the motion to
29. recommit House Bill 900 back to the Senate Revenue Committee.
30. Is leave granted? Leave is granted. House Bill 933, Senator
31. Egan. For what purpose does Senator Buzbee arise?

32. SENATOR BUZBEE:

33. On a point of personal privilege, Mr. President.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. State your point.

3. SENATOR BUZBEE:

4. I was off the Floor being lobbied for more money...when
5. House Bill 823 was called. And I understand that my switch
6. was inadvertently voted green, I would have preferred to
7. vote No on that...on that bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. House Bill 933, Senator Egan. Senator Egan. Read the
10. bill, Mr. Secretary, please.

11. SECRETARY:

12. House Bill 933.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Egan.

17. SENATOR EGAN:

18. Thank you, Mr. President, members of the Senate. Seems
19. to be some negative approach from some of the Gentlemen around,
20. but in any event, I...I do wish to correct somewhat the...the
21. description...the Calendar description of the bill. It did,
22. originally, remove the referendum requirement and then that
23. was the front door referendum and put in a backdoor referendum.
24. A half of a cent for maintaining and lighting the streets
25. within park districts and at two and a half percent...upped
26. it two and a half percent for organizing police forces. The
27. Illinois Association of Park Districts has obviously been
28. plagued with maintaining and...and putting in lighting for
29. their streets and obviously have felt the need that most
30. or many of you have indicated is necessary for policing
31. the existing park districts. The bill is...is that and
32. nothing more and I would ask for your favorable consideration.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there discussion? Senator Totten.

2. SENATOR TOTTEN:

3. Thank you, Mr. President, Ladies and Gentlemen of the
4. Senate. I think this bill does what the Calendar says it
5. does and it provides for a tax increase with a...without
6. referendum or with a backdoor referendum...for certain
7. park districts. This again, I think, is an unwise idea,
8. it's an attempt, of course, by the park districts to
9. increase taxes in a rather subverted way and I would recommend
10. that this side of the aisle vote No...and one member on the
11. other side.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Simms.

14. SENATOR SIMMS:

15. Well, Mr. President, Ladies and Gentlemen of the Senate.
16. I rise in opposition with Senator Totten. I don't think it's
17. fair that these special taxing districts, such as park
18. districts are basically trying to circumvent the purpose
19. and that is the front door referendum of the people...if they
20. have a legitimate project and they have projects in which
21. it's a laudable cause, there's no valid reason why they
22. cannot go to their citizens, their constituency, at referendum,
23. asking for permission of the people rather than going a
24. different route and that is requiring a...a negative action
25. on the part of the taxpayer to require a backdoor referendum,
26. that's circumventing the right of the people of referendum,
27. it's preventing them from directly having the right of
28. referendum to vote upon their own property taxes. I think
29. this is taking away a basic right of individuals. It seems
30. to be the trend of the Legislature to be able to pacify
31. some people by saying, well there's referendum provisions
32. by a backdoor. Let's not kid anybody, this is trying to
33. put a property tax over on people without their knowledge
and without the direct right of referendum. This bill should

1. be soundly defeated.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Geo-Karis.

4. SENATOR GEO-KARIS:

5. Sponsor yield for a question?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Indicates he will yield, Senator Geo-Karis.

8. SENATOR GEO-KARIS:

9. Do I understand that new park districts...when they are
10. constituted now, do not have to have a referendum to establish
11. paving and lighting taxes and police taxes?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Egan.

14. SENATOR EGAN:

15. Well...Senator...the...the explanation...after reading
16. the bill, I don't see that provision, but it is in the explanation
17. that, to use the year, a park district is created as the
18. standard for qualifying for the direct authority to levy.
19. There's a classification scheme which discriminates against
20. a large number of older and established park districts. And...
21. apparently...that...that is the fact, but I don't see it in
22. the bill, I don't understand why the explanation...where did
23. you get the...the idea that that's what it does?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Geo-Karis.

26. SENATOR GEO-KARIS:

27. I'm reading the Digest and I'm just wondering if you
28. could take it out of the record so we can check Chapter 105
29. to be more...careful about it, you know, and if...if that's
30. so, I'll be glad to support your bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Further discussion? Senator Egan
33. may close...Senator Netsch.

1. SENATOR NETSCH:

2. Yes, is...is the bill being taken out of the record, or
3. not?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Egan.

6. SENATOR EGAN:

7. Yes, I'd like to clear that up myself. I am told that
8. it does not apply and I'm not sure that I understand that
9. provision. I want to take it out of the record myself.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. All right. Is there leave to take it out of the record?
12. Leave is granted. Senator Netsch.

13. SENATOR NETSCH:

14. Another question that he might check while he's taking
15. it out of the record. I would like to know just to which
16. part districts it does apply, e. g., does it apply to the
17. Chicago Park District?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. All right. Take it out of the record. At the...request
20. of the sponsor. 945, Senator Schaffer. Senator Schaffer on
21. the Floor. Senator Grotberg, do you know whether he wants
22. to run 945? There is no hold on this. 945, read the bill,
23. Mr. Secretary, please.

24. SECRETARY:

25. House Bill 945.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Schaffer.

30. SENATOR SCHAFFER:

31. Mr. President, this is the Judicial Inquiry Board. There
32. are a few little add-ons though. For instance, the Racing
33. Board is on for an additional 7.6 million, the fire marshal
for 4.4, Historical Library for 1.7, the Department of Insurance

HB 979
3rd reading

1. for 7.5, the Local Government and Law Enforcement Officer's
2. Training Board for 2.7, Law Enforcement for a hundred
3. and one million and military and naval for 6.4.
4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion? Is there discussion? The question
6. is shall House Bill 945 pass. Those in favor vote Aye. Those
7. opposed vote Nay. The voting is open. Have all voted who
8. wish? Have all voted who wish? Have all voted who wish?
9. Take the record. On that question the Ayes are 48, the Nays
10. are 1, 3 Voting Present. House Bill 945, having received
11. the required constitutional majority is declared passed.
12. 972, Senator Carroll. House Bill 979, Senator Gitz. If...if...
13. Senator Carroll brings up a good point about recalls. If you
14. are going to recall a bill, please bring the amendment down
15. to the Secretary. That is our notice that it is going to be
16. recalled and it will be put on the recall list. If you
17. don't bring the amendment down, we don't know you're going
18. to recall it, we just think you're not going to call it
19. and it will not be on the list and then you will not have
20. a chance to recall it, either. So, get your amendments down
21. here if you plan to recall a bill. We're just making the
22. list right now, Senator Carroll. 979, Senator Gitz. Read
23. the bill, Mr. Secretary, please.

24. SECRETARY:

25. House Bill 979.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Gitz.

30. SENATOR GITZ:

31. Thank you, Mr. President and members of the Senate.
32. House Bill 979 would implement the recommendations of the
33. Joint Committee on Regulatory Reform. This is one of the

1. few programs, frankly, in our deliberations, which was
2. recommended for reinstatement, but with certain changes. And
3. I will not reiterate all of the charges which were made in
4. the committee's deliberations, but suffice it to quote from
5. the summary in which they stated as follows, "the risk of
6. harm to public health and danger to the State's environment
7. associated with the improper use of pesticides are well
8. established. These risks of harm and danger exist not only
9. in...in connection with agricultural use of pesticides, but
10. also in their use in homes, health facilities, food processing
11. and food service institutions and other structures which fall
12. under the purview of the subject, regulatory authority. Thus,
13. continuation of regulatory protections is warranted." Now
14. there is an advisory council which served no useful function
15. that was eliminated. The original recommendation said that because
16. there were parts of this program in Agriculture and Public Health,
17. they be consolidated under the department. Now, that part was
18. struck in the House so the Public Health Department would
19. continue its involvement. There is a strengthening of the
20. violation section which was done through Amendment No. 1,
21. basically to eliminate cycle of continued violation with
22. the department being powerless to take any action. And that
23. is encompassed in this bill as well. In addition, because of
24. the questions raised in House Bill's 980 Amendment, the changes
25. in the Sunset Regulatory Commission's membership for expanded
26. House and Senate membership is incorporated. This is the only
27. bill which is presently alive which would implement these
28. recommendations. Failure to implement this legislation means
29. the State of Illinois would have no legislation on the books
30. relating to the control and regulation and use and licensing
31. of pesticides.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Further discussion? The question is

1. shall House Bill 979 pass. Those in favor vote Aye. Those
2. opposed vote Nay. The voting is open. Have all voted who wish?
3. Have all voted who wish? Have all voted who wish? Take the
4. record. On that question, the Ayes are 51, the Nays are none,
5. none Voting Present. House Bill 979, having received the
6. required constitutional majority is declared passed. 980,
7. Senator Gitz. 980, Senator Gitz. ...Senator Gitz.

8. SENATOR GITZ:

9. In light of the fact that these provisions are incorporated
10. into 979, I'd like to recommit this to the Public Health and
11. Welfare Committee.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The motion is to recommit, by the sponsor, House Bill 980
14. to the Committee on Public Health. On the motion, all in favor
15. say Aye. Opposed Nay. The Ayes have it, the bill is recommitted.
16. 991, Senator Degnan. Read the bill, Mr. Secretary, please.

17. SECRETARY:

18. House Bill 991.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Degnan.

23. SENATOR DEGNAN:

24. Thank you, Mr. President. We are working now with our
25. friends on the other side of the aisle on some potential
26. amendments. I ask for leave to come back to this today.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Is there leave to return to the bill? Leave is granted.
29. 1006, Senator Geo-Karis. Read the bill, Mr. Secretary, please.

30. SECRETARY:

31. (Machine cut-off)...Bill 1006.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Geo-Karis.

2. SENATOR GEO-KARIS:

3. Mr. President, Ladies and Gentlemen of the Senate.

4. This is the bill I took out of the record the other day when

5. Senator Walsh had a question. I satisfied his questions and

6. what this bill says is that the distinction under common

7. law between invitees and licensees as to the duty owed by

8. an owner or occupier of any premises...such entrants is abolished. In

9. other words, the same standard of care is owed to such entrants and that

10. is a reasonable care under the circumstances regarding the

11. state of the premises are...or omitted on them. I might

12. say this bill came as a recommendation from the Supreme Court

13. in their annual report and I ask for your favorable consideration.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? Senator Rock.

16. SENATOR ROCK:

17. Yes, thank you, Mr. President. I'm sorry...a question of

18. the sponsor, if she'll yield.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Indicates she will yield. Senator Rock.

21. SENATOR ROCK:

22. Senator, you indicated this bill came as a recommendation

23. from whom?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Geo-Karis.

26. SENATOR GEO-KARIS:

27. From the Annual Report of the Supreme Court.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Rock.

30. SENATOR ROCK:

31. And...and that report indicated that, in their judgment,

32. there ought not to be any distinction between licensee and

33. invitee?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Geo-Karis.

3. SENATOR GEO-KARIS:

4. My understanding is that they felt that the distinction
5. should be abolished as between invitee and licensee because
6. of the fact that...it seems that the courts have been twisting
7. the...if you'll hold on just a minute, I have...hold on...
8. it is for the...I think that probably is the reason for this,
9. that there would...this bill would obviate the necessity
10. of the courts having to...having to twist the categories and
11. giving cases of fit people who are really licensees into the
12. invitee category. And in order to get around that injustice...
13. injustice created by these categories, sometimes the courts
14. have...bent over backwards to place a licensee in a invitee
15. category.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Rock.

18. SENATOR ROCK:

19. I really ought to ask you to repeat that, but I don't
20. dare. Well, are we suggesting then that the duty that
21. was formerly on the owner to...to warn an invitee of any
22. dangers, 'cause...condition no longer will exist on...if this
23. bill becomes law?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Geo-Karis.

26. SENATOR GEO-KARIS:

27. I don't...no, I don't believe so. I believe as I said
28. earlier, the duty is the standard of care, that of reasonable
29. care under the circumstances regarding the state of the premises
30. or acts done or omitted on them, that's what the bill says.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Rock.

33. SENATOR ROCK:

1. Well, my understanding was, that an invitee...that the owner
2. and occupier had a...had a higher degree of duty or a...a more
3. of a duty toward an invitee than to a licensee. And I'm not
4. sure why we're doing this.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Geo-Karis.

7. SENATOR GEO-KARIS:

8. Well, I think the reason, Senator, is that...the law
9. has been twisted around so much that you can't really tell
10. which is which any more and if you apply the same standard
11. of care for both, I think you will eliminate a lot of unnecessary
12. doubts. I might tell you, quite a few states have abolished that
13. distinction and it does not eliminate the classification
14. of trespassers if you are worried about that, I mean, we still
15. have the same law applying to trespassers. All it does is
16. to eliminate the distinction between invitee and...the
17. duty of care as to the invitee and to the licensee.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Jeremiah Joyce.

20. SENATOR JEREMIAH JOYCE:

21. Well, Senator Geo-Karis, would you state for the record,
22. what is the duty owed to an invitee by an owner-occupier and
23. what is the duty presently owed under Illinois law to a
24. licensee by an owner or occupier?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Geo-Karis.

27. SENATOR GEO-KARIS:

28. Senator Joyce, I'll take it from a bar association,
29. Illinois Bar Association Journal, October '78 which says, "a
30. licensee, let's see now, a licensee is able to recover only
31. by showing an injury willfully and wantonly inflicted and
32. an invitee...there's a distinction, first of all, licensee
33. has been defined as a person who goes upon the premises

1. or...of another with the express or implied consent of
2. the owner to satisfy his own purposes rather than for the
3. mutual benefit of himself and the owner. Or a purpose
4. connected with the business in which the owner is engaged
5. or permits to be carried on the premises. The owner's
6. duty to a licensee...as I said, is to show that...the owner
7. did not act willfully or wantonly in the injuries inflicted
8. upon the licensee. An invitee has been...defined as a
9. person who goes upon the premises of another by an express
10. or implied invitation to transact business in which he and
11. the owner have a mutual interest or to promote some real or fancy
12. material, financial or economic interest of the owner. And
13. the...problem here has been that the courts have frequently
14. twisted the law to apply invitee law...licensee anyway and
15. that's one of the purposes for the bill. I'll be glad to
16. show you the article.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Jeremiah Joyce.

19. SENATOR JEREMIAH JOYCE:

20. Well, it's been a while since I've looked at this, but
21. I thought that the duty owed to a licensee was to warn
22. of defects that the owner or occupier knew of. It seems to
23. me that this legislation is going to take away some of the
24. present protections that the law gives to invitees and I
25. think the distinction...has some real meaning and I think
26. that the distinction should be preserved.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Berman.

29. SENATOR BERMAN:

30. Thank you, Mr. President. I shared with Senator Geo-Karis
31. on some conversations about the bill. What the bill does is
32. it establishes a Statutory standard. The Statutory standard
33. is reasonable care and what it does is eliminate the distinction

1. that we learned in law school between the licensee and invitee.
2. The traditional difference is that the licensee...comes on
3. the premises for his own purposes, the invitee comes on the
4. premises for his purposes and the land owner's...purposes. The
5. trouble is that in different cases that...that apparently has been
6. such that the court has made questionable distinction between
7. whose purpose you come onto the land for. And therefore they
8. put some people into the category of licensee with a high...
9. low degree of care.. a person with...in the category of invitee
10. with a high degree of care. This establishes a Statutory
11. standard of reasonable care and eliminates this, I think,
12. artificial distinction between whose purpose you have come
13. onto the land for and I think it allows the court and the
14. trier of fact to evaluate whether reasonable care was taken
15. under the total circumstances of the case. I think it might
16. be an improvement and probably does away with some artificial
17. archaic distinctions that have added confusion to case law.
18. I'm going to vote Aye.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Further discussion? Senator Jeremiah
21. Joyce.

22. SENATOR JEREMIAH JOYCE:

23. ...Maybe Senator Berman can answer this. What is the
24. standard of care that is presently owed a licensee and what's
25. the standard of care owed an invitee?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Berman.

28. SENATOR BERMAN:

29. The standard of care owed to a licensee is that the land
30. owner shall not act...with willful and wanton disregard for
31. his safety. The invitee is a different standard, I believe
32. it is closer to...ordinary care for the general safety of the
33. invitee. There is a lesser degree of care owed to the licensee

1. than to the invitee.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Jeremiah Joyce.

4. SENATOR JEREMIAH JOYCE:

5. ...I'm confused. My...my understanding was that the
6. duty of care owed to a licensee was to warn of known defects
7. on the premises. To an invitee my understanding was that
8. it was to maintain the premises in a reasonable safe condition.
9. Am I wrong?

10. SENATOR BERMAN:

11. Quoting from the recent article in the Illinois Bar
12. Journal, "the owner's duty to a licensee is similar to that
13. owed to a trespasser, that is the licensee is able to recover
14. only by showing an intent...an injury, willfully and wantonly
15. inflicted." As to an invitee...that was a licensee. As to
16. an invitee...just a second, I'll try to give it to you...no
17. presumption of negligence on the part of the owner arises
18. merely by showing that an injury has been sustained by
19. one rightfully upon the premises. You'd have to show ordinary
20. negligence on the part of the land owner, in order to recover
21. if you are an invitee. Licensee, you'd have to show willful
22. and wanton.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Jeremiah Joyce.

25. SENATOR JEREMIAH JOYCE:

26. All right. Then to summarize, what...what this legislation
27. is going to do, it's going to increase the standard of care
28. owed to a licensee and decrease the standard of care owed
29. to an invitee. Would that be correct?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Geo-Karis.

32. SENATOR GEO-KARIS:

33. It...it will increase the standard of care with the licensee,

1. but it will not decrease the standard of care owed to an...invitee.
2. Okay.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Jeremiah Joyce. Senator...Rock. Senator Netsch.
5. Senator Rock.

6. SENATOR ROCK:

7. This...I apologize, this is a second time, but while I
8. agree with what Senator Joyce is saying, it really doesn't
9. do that either because in the next sentence, it says the duty
10. owed to such entrants these are now the licensees and invitees,
11. who are now on the same footing, is that of reasonable care
12. under the circumstances. Now, I defy anyone to give me a
13. definition, they didn't try one in this bill. But what in
14. the world is reasonable under what circumstances. It just
15. seems to me we are blowing years and years of case law here
16. for no apparently good reason.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Netsch.

19. SENATOR NETSCH:

20. Thank you, Mr. President. I wonder...I...I...this may
21. be a little out of the ordinary, but if we might presume
22. upon Senator Berman just one more moment because he had
23. the language of which, I gather, is the...present law
24. of the duty owed in front of him. And what we are
25. comparing then is...I have no objection, I might add, about
26. changing the standard for licensees, I think that's probably
27. a very good idea, that was always a very artificial distinction.
28. The question is, are we, if you will, lowering the standard with
29. respect to invitees, so what we are doing is comparing reasonable
30. care under the circumstances regarding the state of the premises
31. or acts done or omitted, but basically reasonable care under
32. the circumstances to...what was the language that you read that
33. is the existing law with respect to invitees?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Berman.

3. SENATOR BERMAN:

4. I'm not sure what your question is.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Netsch.

7. SENATOR NETSCH:

8. I think just a moment ago, you had found language
9. that stated the existing duty of care owed to the two categories
10. of persons in...under Illinois law, licensees I'm not concerned
11. about at the moment. Didn't you also read a reasonable
12. standard with respect to invitees?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Berman.

15. SENATOR NETSCH:

16. The present standard of care.

17. SENATOR BERMAN:

18. ...An...an owner or...this is as to invitees. An owner
19. or...of property is not an insurer against accidents occurring
20. on the premises of the owner. And an owner's liability to an
21. invitee for injuries, not intentionally inflicted, must be
22. predicated upon negligence, so that there is the standard
23. of ordinary care as to invitees. As I read this bill, I don't
24. believe that standard is changed. What it does do, is raise
25. the standard as to licensees, the reason for that is because
26. the distinction between a licensee and an invitee is many times
27. artificial, whose purposes is he coming upon the land for.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Netsch.

30. SENATOR NETSCH:

31. Yes, the...the latter was not the problem, I think. I,
32. at least, for me it is not. I agree that the...the distinction
33. between invitee and licensee has often been artificial, arbitrary
and should not be maintained. The question that Senator Jeremiah

1. Joyce raised, was have we, consciously or unconsciously, but
2. by the language used, lowered the standard of care owed to
3. invitee? And I think what may be important then, is that, and
4. this probably ought to come from the sponsor of the bill, that
5. we state for the record, that although the language may be
6. somewhat different from that ordinarily used in Illinois
7. law at the present time, there is no intention to lower the
8. standard of care owed to an invitee. Is that correct, Senator
9. Geo-Karis?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Geo-Karis.

12. SENATOR GEO-KARIS:

13. You're absolutely right, Senator...Netsch. There's no...
14. there's no attempt to lower the degree of standard of care
15. for invitees. As a matter of fact, right in the bill, it
16. says, the distinction under the common law between invitees
17. and licensees as to duty owed by an owner or occupier
18. of any premises...such entrants is abolished. The duty owed
19. to such entrants is that of reasonable care under the circumstances
20. regarding the state of the premises or acts done or omitted
21. on them.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Netsch.

24. SENATOR NETSCH:

25. All right. Just to summarize then, we are raising the
26. standard of care owed to licensees, we are not changing the
27. standard of care owed to invitees. That is the purpose of the
28. bill. Thank you.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Keats.

31. SENATOR KEATS:

32. Thank you, Mr. President, Ladies and Gentlemen of the
33. Senate. I want to ask a question of every...every nonlawyer

1. in here. Is there a single nonlawyer in here who's got the
2. faintest idea what any of these guys are talking about?
3. Do you think we ought to pass a bill when the majority of
4. the Legislature hasn't got the faintest idea what they're
5. talking about? My case rests.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Berning.

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End of Reel

1. SENATOR BERNING:

2. Senator Keats, what they're trying to figure out, is which
3. came first, the chicken or the egg.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Bruce.

6. SENATOR BRUCE:

7. Thank you. For the lawyer-baiters around this...this place,
8. I want to tell you, if you want to give us a lot more clients, a
9. lot more money, vote for this gem, because it'll mess up five...
10. five hundred years of jurisprudence. To remove this common law
11. distinction is goofy. Now, we all know what the standards are
12. if...and for those of you who have agricultural...everyone talks
13. about a distinction without a meaning, let me tell you the...
14. difference for me when I farm. Right now, if they come onto my
15. farm and spread fertilizer, they're a licensee, no doubt about it.
16. I don't invite them, we have a economic arrangement between me
17. and them. And everyone of you in this Chamber has that sort of
18. relationship with people everyday. There's no distinction, there's
19. no problem with that, you pay them money and they render a service
20. on your property. And when they come onto your property all you
21. have to say is, don't fall in these holes, you have the duty to
22. warn them of known defects. Whether they're a termite exterminator,
23. whether they're a fertilizer spreader, anything they're doing on
24. your property as a businessman, you have the duty to tell them of
25. known defects. That's what you have, and before they can collect
26. against you, the standard of negligence to which you are held
27. is willful and wanton. Now, on an invitee the standard is different,
28. you tell your friend to come over for supper and they come in and
29. slip and fall on your sidewalk, you have a duty of ordinary care,
30. that's your duty. But the standard of negligence you have, is...
31. is that of ordinary negligence. What an ordinary man would have
32. done under the same or similar circumstances in warning that person
33. when he came upon your property. So, when they tell you there's

1. no distinction, that's baloney, you're taking away a great protection
2. of people who work for you, for money, who come upon your place of
3. business to render a service. And this standard...besides I don't
4. know what you want to do, Senator Geo-Karis. You also drive into
5. the Statute something...a duty of reasonable care, and the duty
6. that's always been is that of ordinary care. I don't know what
7. the distinction is, but Senator Keats, I'll tell you what, you
8. change this thing, every lawyer that handles this kind of case
9. we will spend the next thirteen, fifteen years fighting this through
10. appellate courts, all the courts in the...in the State will all get
11. very rich. Frankly, I would just as soon leave things the way
12. they have been the last five hundred years and operate. Every-
13. body knows what the duties are now.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Johns.

16. SENATOR JOHNS:

17. This is directed at Senator Keats. Now just think of it,
18. if we vote for this, and we get it out, and we give them more
19. business, maybe some of them will stay home.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Joyce.

22. SENATOR JEROME JOYCE:

23. Mr. President, I'm certainly glad we don't have anything
24. better to do today. I move the previous question.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator, we have...we have one other lawyer that wishes to
27. speak on it, Senator Marovitz and our distinguished attorney,
28. Senator Vadalabene. So, if you'll hold that motion.

29. SENATOR MAROVITZ:

30. Thank you...thank you, Mr. President, and Ladies and Gentlemen
31. of the Senate. We have six switches on our little desk here, the
32. orange one is dead, never to be used, the yellow one is hardly
33. ever used. For those of you who don't have the slightest idea of

1. what's going on, this would be the very best time to use that
2. yellow switch.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Further discussion? Senator Vadalabene.
5. SENATOR VADALABENE:

6. Yes, if this bill passes, I'm planning on opening two more
7. law offices.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Geo-Karis may close.

10. SENATOR GEO-KARIS:

11. Well, Mr. President, and Ladies and Gentlemen of the Senate.
12. First of all, I want to correct your impression, Mr. Speaker, be-
13. cause the definition you gave was the reverse. I'll quote you
14. the definition right from the...no, no, I don't care what you
15. do about the bill, but I'm telling you, and invitee is someone
16. who comes to, whatever you said, to spread the manure on your
17. place, or whatever it was, and you pay them for it. All right,
18. that's considered an invitee. That's an invitee. I'm not going
19. to argue this, but I'm just telling you, I don't care what you
20. do about the bill, all I'm trying to do is to eliminate the
21. artificial part of it. So, I'm going to take the bill out of
22. the record until you all understand it.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. All right, is there leave to take it out of the record?
25. Take it out of the record. 1019, Senator Bloom. Senator Bloom,
26. 1019? Read the bill, Mr. Secretary, please.

27. SECRETARY:

28. House Bill 1019.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. For what purpose does Senator Sangmeister arise?

33. SENATOR SANGMEISTER:

1. Well, for just a minute. I...I think this Gentleman has
2. arrived at just the right time, he's from the Florida House of
3. Representatives. I hope he...he...this isn't his first impression
4. of the Illinois Senate, but we have with us Frank S. Messersmith,
5. Representative of the 83rd District, Florida House of Representatives,
6. with his lovely daughter and friend, sitting right up here in
7. the Senate gallery.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Would they please rise and be recognized by the Illinois Senate.
10. All right. Senator Nimrod, for what purpose do you arise?

11. SENATOR NIMROD:

12. ...Mr. President, I was just wondering for those not...of
13. us that were non-lawyers, where do we qualify for our three hours
14. of credit toward our degree?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Apply to Senator Vadalabene. Senator Bloom on House Bill 1019.
17. Senator Bloom is recognized. The bill has been read a third time.

18. SENATOR BLOOM:

19. Thank you, Mr. President, and fellow Senators. This bill
20. requires that before a depository institution receives public funds
21. it has to furnish with...of a public funds, it has to furnish
22. the agency with copies of its resources and liabilities. Four
23. amendments were put on, the first provided for three tiers of...of
24. safety for the depositors. The second, exempted certain State
25. uniforms...State universities. And then Senator Demuzio offered
26. Amendment No. 4, that required that these institutions be insured,
27. the three tiers of insurance by the Federal Deposit Insurance...
28. FDIC or the FSLIC, or collateralized by mortgages. And the fifth
29. amendment added the exemption for public community colleges. I
30. will answer any questions you have, otherwise I'd ask for a favor-
31. able roll call. Thank you.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Discussion? Senator Rhoads.

HB 1022
2nd Reading

1. SENATOR RHOADS:

2. I'm sorry, Senator Bloom, who is the statement filed with?
3. That wasn't clear for...the resource statement.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Bloom.

6. SENATOR BLOOM:

7. The public agency. In other words, you have to basically tell
8. the public agency you're sound.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Further discussion? The question is, shall
11. House Bill 1019 pass. Those in favor vote Aye. Those opposed
12. vote Nay. The voting is open. Have all voted who wish? Have
13. all voted who wish? Take the record. On that question, the
14. Ayes are 53, the Nays are none, none Voting Present. House Bill
15. 1019, having received the required constitutional majority is
16. declared passed. 1022, Senator Demuzio. Read the bill, Mr.
17. Secretary, please.

18. SECRETARY:

19. House Bill 1022.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator...Demuzio.

24. SENATOR DEMUZIO:

25. Yes, thank you. House Bill 1022 is Commissioner Harris' bill
26. which allows the Commissioner of Banks upon a finding that an em-
27. ergency exists between a failing bank and another bank...a State
28. bank or a national bank, that that merger is absolutely necessary
29. for the protection of the depositors and the creditors. And this
30. bill sets up the procedure. The failing...the failing bank must
31. merge with a bank within the same county or a contiguous county
32. if within ten miles of the failing bank, that the merger of the
33. failing bank must be approved by a majority vote of the failing

1. bank boards of directors without a vote of its stockholders. The
2. regional director of the FDIC must give concurrence of the merger.
3. And no bank may be purchasing...or a resulting bank in more than
4. one merger. And that the purchasing bank or the resulting bank
5. may retain, maintain, and operate the banking premise as a facility
6. providing that the resulting bank may...may not operate the main
7. bank premises after six months except as a facility. This bill was
8. here before us a year ago. It now enjoys the support, I am told,
9. of all three of the banking institutions. Commissioner Harris
10. feels that if this bill were in place during the Des Plaines Bank
11. problem, and another bank in Chicago, that some considerable loss
12. could have been maintained. And I would be happy to answer any
13. questions if I can.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Discussion? Senator Weaver.

16. SENATOR WEAVER:

17. Thank you, Mr. President. I was just going to ask the sponsor
18. if this was possibly a vehicle?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Demuzio.

21. SENATOR DEMUZIO:

22. Well, it was a long time ago, but the wheels have been stripped
23. off of it right now. And it intends to run on its own merits, and
24. if it manages to...to pass here, then it goes straight down to
25. ...to the Governor.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Weaver. Senator Weaver.

28. SENATOR WEAVER:

29. I think it's a good bill, and it should be supported.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The question is, shall House Bill 1022 pass. Those in...

32. Senator Netsch. Senator Netsch.

33. SENATOR NETSCH:

1. Thank you. I just had one question. If...as I read the
2. bill, and hear your explanation, it is solely in the commissioner's
3. judgment whether all of the required circumstances have been met
4. and satisfied, is that correct, Senator?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Demuzio.

7. SENATOR DEMUZIO:

8. That is partially correct, because the Regional Director of
9. the FDIC must make the same...same determination.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator Totten.

12. SENATOR TOTTEN:

13. A point of personal privilege, Mr. President.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. State your point.

16. SENATOR TOTTEN:

17. Mr. President, I would like to remind Senator Chew, that unless
18. President Reaganis continued in office and reduces inflation, no-
19. body will be able to afford watermelon, and it's because he has
20. that you have that watermelon.

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(Following typed previously)

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HB 1048
3rd reading

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? The question is, shall House Bill 1022
3. pass. Those in favor vote Aye. Those opposed vote Nay. The
4. voting is open. Have all voted who wish? Have all voted who
5. wish? Take the record. On that question, the Ayes are 53, the
6. Nays are none, none Voting...2 Voting Present. House Bill 1022,
7. having received the required constitutional majority is declared
8. passed. 1048, Senator Netsch. Read the bill, Mr. Secretary, please.

9. SECRETARY:

10. House Bill 1048.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Netsch.

15. SENATOR NETSCH:

16. Thank you, Mr. President. This bill has been worked over
17. extensively and lovingly by Senator McMillan and myself with a
18. strong assist from the Cook County Assessor's Office, Mr. Hynes,
19. from the Illinois Department of Revenue, and we were also building
20. on Senator Egan's bill of some time ago. It is a Truth In Taxation
21. Act, it is perhaps not enormously dramatic in its present form,
22. but we feel very strongly that it will take a...a very important
23. step in the right direction of two things. One, making sure that
24. the public does have an opportunity to know and to comment on
25. significant increases in local government property tax levies.
26. And secondly, that the knowledge that there will be a very dramatic
27. public notice of any such increase, and a public hearing to follow,
28. will in itself help to...to restrain local government units in
29. terms of their levying for the future. We have made it applicable
30. only when the tax increase of one year is effectively five percent
31. over the tax increase of the prior year to allow, at least, some
32. room for normal cost increases which are, at least, normal during
33. a period of high inflation. I think it is a very, very important

1. first step, although perhaps not a last step in controlling
2. property taxes. And I would solicit your support, and ask
3. Senator...McMillan also to make some comments on the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator McMillan is recognized.

6. SENATOR MCMILLAN:

7. Mr. President, and members of the Senate. I rise urging a
8. Yes vote for House Bill 1048. One of the primary advantages of
9. this bill, which Senator Netsch has explained, is that it helps
10. tremendously to place the burden more appropriately where I
11. believe it actually falls with regard to the increases in taxes.
12. We attempt regularly to do something with the assessment process,
13. and the assessment process, of course, brings increase in values
14. to property as assessment...or as inflation or other reasons come
15. forth to cause it to increase. But this particular bill, without
16. placing any particular prohibitions on anybody, does require that
17. the body that, in fact, says that it's going to ask for more money
18. from property taxpayers, than it asked for in the previous year
19. when it's in excess of a five percent increase, does have to let
20. the people know that such an increase is going to be asked for.
21. In other words, it takes some of the emphasis which we have
22. traditionally placed on the assessor and placed it on the local
23. government officials who, in fact, are the ones that are primarily
24. responsible for the level of taxes which they take. I believe
25. that it has come a long way from the time when it was previously
26. introduced, it previously said that they had to do this kind of
27. publication if there was any increase. And we've compromised
28. considerably to the point where we're only asking for the publica-
29. tion and the hearing if it's in excess of five percent. I believe
30. it's a meaningful compromise, I believe it is an opportunity
31. for us to start making it clear that if taxes are going to increase,
32. at least people have to have an opportunity to be informed and to
33. have a chance to speak about it. And I would seek a favorable

1. roll call.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Rock.

4. SENATOR ROCK:

5. Thank you, Mr. President, and Ladies and Gentlemen of the
6. Senate. I rise in support of House Bill 1048 as amended. This
7. subject matter has been discussed at great length in the county
8. that I represent, and the county assessor, the former Senate
9. President, is in fact of...in favor of this concept, and I think,
10. this amendment. I would ask the Chair, however, since it does
11. on its face, include home rule units, to rule on the preempt...
12. what I consider to be the preemptive aspect of this so that
13. we are perfectly certain for the purpose of the record.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Rock, had you concluded? Since I was warned in
16. advance, why don't I just make my ruling now. The ruling of
17. the Chair is, that in fact...you may speak Senator, after I've
18. made my ruling. The...the...the Chair will rule that it is
19. preemptive, in that...Amendment No. 1, it states in several
20. places that no taxing district shall levy an amount of ad valorem
21. tax which is more than one...which is more than one hundred
22. and five percent of the amount exclusive of election costs which
23. has been extended or is estimated will be extended upon the levy
24. of the preceding year. Under the Consitution, Article VII,
25. on local government, Section 6G, it states that the General
26. Assembly by law, approve by a vote of three-fifths of the members
27. elected to each House may deny or limit the power to tax, and
28. any other power or function of a home rule unit not exercised
29. or performed by the State, in that the State of Illinois does
30. not exercise or tax or levy any ad valorem tax, this is a
31. limitation solely upon a home...home rule unit, and therefore
32. it is preemptive, and therefore it will require a three-fifths
33. vote. Further discussion? Senator Geo-Karis.

1. SENATOR GEO-KARIS:

2. I can address my query to either one of the two sponsors.
3. Do I understand then, at the present time, we do have to publish
4. when it's less than a hundred and five percent of the amount
5. extended, is that correct?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Netsch. Senator McMillan.

8. SENATOR MCMILLAN:

9. Senator Geo-Karis, are you saying under this bill? At
10. the present time there's no requirement for publication at all.
11. And...and under this bill there would be no requirement for
12. publication as long as it's less than a hundred and five per-
13. cent of what it was the year before.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Geo-Karis.

16. SENATOR GEO-KARIS:

17. Under you bill then, you're extending it up to a hundred
18. and five percent without publication, am I correct?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator McMillan.

21. SENATOR MCMILLAN:

22. That's correct.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Further discussion? Senator Netsch,
25. which of you shall close first? Senator McMillan do you wish...
26. or Senator Netsch.

27. SENATOR MCMILLAN:

28. I think most of the questions have been answered. I think that
29. it has a broad base of support. It is, what I believe, will be-
30. come a...a very meaningful tool for taxpayers without overly
31. burdening the local officials who have a difficult job running
32. local units of government. And I believe it deserves an Aye
33. vote.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Netsch.

3. SENATOR NETSCH:

4. Thank you. I'm not going to go into all of the reasons,
5. because hopefully it will not be necessary. I would like to
6. state for the record, for future consideration, because this
7. is an important issue, that I think that the ruling of a three-
8. fifths vote requirement is not necessarily correct. This is
9. clearly in the shadow land between three-fifths and non-three-
10. fifths. I think, at the very least, it is a not necessarily
11. correct ruling because it is not actually a...a restriction on
12. the taxation power, it is simply a procedural requirement.
13. And the bill has been carefully drafted with that in mind.
14. Hopefully that is an academic question, and we will have enough
15. votes that it will not make that much difference. Again, I
16. would simply repeat what I said at the beginning, and...and
17. underscore what Senator McMillan has said, we both believe
18. that this is not the final answer to keeping some restraint
19. on property taxation, obviously there are a number of avenues
20. that have to be addressed, but we feel that it is a very important
21. first step.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. The question is, shall House Bill 1048 pass. Those in
24. favor vote Aye. Those opposed vote Nay. The voting is open.
25. Have all voted who wish? Have all voted who wish? Take the
26. record. On that question, the Ayes are 55, the Nays are 1,
27. none Voting Present. House Bill 1048, having received the re-
28. quired constitutional majority is declared passed. 1071, Senator
29. Berman. Read the bill, Mr. Secretary, please.

30. SECRETARY:

31. House Bill 1071.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Berman.

3. SENATOR BERMAN:

4. Thank you, Mr. President, and Ladies and Gentlemen of the
5. Senate. House Bill 1071 allows unit districts to increase their
6. taxing power by action of the local school board only to...up to
7. the level that is enjoyed by the elementary and high school dis-
8. tricts' combination. There are approximately four hundred and
9. thirty-seven elementary districts, a hundred and twenty-six high
10. school districts, and four hundred and forty-eight unit districts
11. in the State of Illinois. The elementary districts and the high
12. school districts together enjoy a higher rate of taxation from
13. local sources than does the unit districts. This bill would allow
14. those unit districts by action of their local board to increase
15. those tax rates up to the levels enjoyed by the elementary and
16. high school districts. This...this applies to six different taxing
17. funds. Under the two largest funds, the Education Fund and the
18. Operation Building and Maintenance Funds, there are provisions
19. in the existing law that are not taken out by this for backdoor
20. referendum. With an amendment placed on this bill, the...the
21. time period for the backdoor referendum has been increased from
22. ten days to thirty days. I would solicit your support. Ask for
23. an Aye vote.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Discussion? Senator Simms.

26. SENATOR SIMMS:

27. Well, Mr. Speaker, Ladies and Gentlemen...Mr. President,
28. Ladies and Gentlemen of the Senate. I rise in opposition against
29. this bill. We are...once again back to the backdoor referendum.
30. What this basically does, this legislation, it allows the doubling
31. of tax rates in many instances in...and unit school districts,
32. which would actually require the doubling of the tax rates. Now,
33. the property taxes that are extended and individuals pay, the

1. schools take approximately anywhere from sixty to seventy percent
2. of the local property taxes. This would allow the school boards
3. to...in those cases in unit districts to double that levy without
4. direct referendum. It does allow for the proviso of a backdoor
5. referendum. But let's be very candid as I mentioned before on
6. a previous issue dealing with the backdoor referenda provisions.
7. Most people are not that familiar with the provisions of using a
8. backdoor referenda. Many places throughout the State of Illinois
9. do not have adequate news media coverage to adequately explain this
10. to the people. Now, school districts, and there are many school
11. districts that do need the additional revenue, they should take
12. their case to their electorate, present their case to the people
13. and allow them in the front door manner in order to vote upon
14. raising the property taxes within that particular school unit,
15. either up or down, not on a backdoor referendum fashion. It's
16. very possible that some districts may well find that their property
17. tax rates will just be doubled for the purposes of the schools
18. without the privilege of ever having had voted upon the issue of
19. whether or not their permission should be extended for the right
20. of referendum. Backdoor referendums to my knowledge have not
21. been too successful in the State of Illinois, because of the
22. lack of sophistication of knowing how to get the issue on the ballot.
23. This would have been a good bill if Senator Maitland's amendment
24. had been adopted last...in the earlier part of the week, but I
25. suggest to the members of the Senate, to pass this legislation
26. and to...potentially place upon the voters, the taxpayers, the
27. property taxpayers in these unit districts, the potentiality of
28. having their property taxes doubled by action of the school board
29. without the right of direct front door referendum is a total dis-
30. service, a total disservice to the process that we have in our
31. country and our State, and that's the right of referenda. And
32. you cannot disguise it by using the method of a backdoor referenda,
33. because most people simply just don't know what a backdoor referenda

1. procedure is. I would urge that this bill be defeated.

2. PRESIDENT:

3. Further discussion? Senator Weaver.

4. SENATOR WEAVER:

5. A question of the sponsor, Mr. President.

6. PRESIDENT:

7. Indicates he'll yield. Senator Weaver.

8. SENATOR WEAVER:

9. Senator Berman, why does this bill not apply to the City of
10. Chicago?

11. PRESIDENT:

12. Senator Berman.

13. SENATOR BERMAN:

14. The bill as passed out of the House did not apply to Chicago,
15. we have not amended that. The question as to a...a non-referendum
16. tax increase in Chicago was decided yesterday on Senator Keats'
17. amendment, and one substantial distinction between this bill and
18. the question you raise is that every school district outside of
19. Chicago is elected, if these rates are going to be increased it's
20. by elected officials, not by appointed officials.

21. PRESIDENT:

22. Further discussion? Senator Gitz.

23. SENATOR GITZ:

24. I would simply remind the Body, I think clearly there are
25. some inequities between the tax rates between dual districts and
26. unit districts. But like my colleague, Senator Simms, I don't
27. believe, frankly, that a backdoor referendum is wise policy, par-
28. ticularly when you look at the message that has been sent to us,
29. particularly when you start looking at the property tax bills, I'm
30. sure that many of you have received them. It seems to me, that
31. one of the...the tough decisions that we've had here is, is that
32. we have to make some tough decisions on our budget priorities. We
33. had a little blowout earlier about the School Aid Formula, and

1. categorical grants. And just because we may not agree on those
2. decisions, or increase that formula...what it is, I don't
3. follow the logic that my local school administrators are telling
4. me, well please give us the ability to jack those property taxes
5. up. I notice that every one of those people are all too willing
6. to send us the letters, or put it on the telephone, because they
7. don't have to face the people. And I think that's what's good
8. about electing people, because we clearly have heard that word,
9. or, at least, I hope we have. And frankly, while there is some
10. inequity to taxing at the same rate, the methodology embodied
11. in this bill is simply not the way to go about it, and I hope
12. that this bill is sent down to resounding defeat.

13. PRESIDENT:

14. Further discussion? Senator Totten.

15. SENATOR TOTTEN:

16. Thank you, Mr. President, and Ladies and Gentlemen of the
17. Senate. I, too, rise in opposition to this legislation. This
18. is the case of...one of the commissions of the State...of the Leg-
19. islature going amuck, this is...this is a product of the School
20. Problems Commission. And they have taken the absolute opposite
21. tack that the people of this State have asked...when we have an
22. inequity, they propose increasing tax rates without referendum,
23. or with a backdoor referendum, when probably what they should
24. have done is brought the other rates down to unit school districts.
25. This bill, if passed, has a potential for a property tax in-
26. crease State-wide of seventy-five million dollars by backdoor
27. referendum. This measure is opposed by the Farm Bureau, by
28. the Taxpayers Federation, the Illinois Association of Realtors,
29. and the Governor's Office. I would recommend a resounding defeat,
30. send it back to the commission.

31. PRESIDENT:

32. Further discussion? Senator Maitland.

33. SENATOR MAITLAND:

1. Thank you, Mr. President, and Ladies and Gentlemen of the
2. Senate. It is correct, House Bill 1071 is a product of the
3. School Problems Commission, a commission that I have been on
4. for some three years. I'm quite frankly very ashamed of that
5. fact, that this bill got of that commission. I was the lone
6. vote in opposition to this proposal. I think it's a terrible
7. thing to have done. We've traveled around this State holding
8. School Problems Commission hearings for some three years now,
9. during my tenure on that commission, and I believe virtually
10. every hearing we've ever attended, there's, at least, one school
11. administrator there asking for us to do this. And my comment
12. to them always is this, Sir, have you attempted a referendum?
13. In most cases they say, no, because quite frankly...quite frankly,
14. Sir, it won't pass. Now, I say to you, what in the world is
15. the matter with us, where do we go from here, what right then
16. does the Legislature have to mandate this home rule concept, and
17. that's what it is, upon our respective school districts. No down-
18. stater, it seems to me, can vote for this, I'm convinced of
19. that. All the school associations, the School Board Association,
20. the Administrators Association, the IEA, naturally, and others
21. are strongly supportive of this. But you know who's against it,
22. yes, your constituents back home, those poor people who pay those
23. taxes. I'm convinced referendums will pass if they're sold to
24. the people correctly. If those administrators of those school
25. boards go to the people, and say, look, we've got a problem with
26. transportation, bus costs are higher, fuel costs are higher,
27. salary costs are higher, we need more money, you convince them,
28. they'll vote for that tax increase. A large referendum was
29. passed in my...my own school district just a little over a year
30. ago. Why would it be then fair to school districts like mine
31. and others around the State who have bit the bullet, and did
32. what have to be...did what had to be done and passed a referendum,
33. why then just make a blanket endorsement of a home rule concept
to the rest of the school districts around the State, and say

1. voters you have no right to make that decision. I think it's wrong,
2. it's a terrible concept, and should be defeated.

3. PRESIDENT:

4. Further discussion? Senator DeAngelis.

5. SENATOR DeANGELIS:

6. Thank you, Mr. President, and members of the Senate. I have
7. a statement, and then a question of the sponsor. There is a reason
8. why we have dual school districts and unit districts, part of it
9. being the efficiency and the reduction in cost of having a unit
10. system. Senator Berman, can a unit district become a dual district?

11. PRESIDENT:

12. Senator Berman.

13. SENATOR BERMAN:

14. Can a unit district become a dual district? You mean divide
15. themselves? I...I would think they could, but I'm not positive.

16. PRESIDENT:

17. Senator DeAngelis.

18. SENATOR DeANGELIS:

19. Well, I...I would suggest that the more appropriate way of
20. accomplishing this, is to evaluate the costs and efficiencies of
21. either system, and then choose upon yourself as to what system
22. you want, and proceed that way rather than treating two systems
23. that are dissimilar, and allowing them equal taxing authority.

24. PRESIDENT:

25. Any further discussion? Senator Berman may close.

26. SENATOR BERMAN:

27. With this unanimity of support for this bill, I think that
28. everyone who has spoken against it has gotten their ink, now let's
29. talk about what the bill does for the people that it's supposed
30. to help, namely the children in the school districts that are
31. limited as to their taxing ability, the unit districts. The
32. two largest funds that are affected by this, the Education Fund
33. and the Building Fund, one could be increased, if allowed and

1. agreed to by elected board members, by twenty-four percent, not
2. doubled as one of the previous speakers talked about. The
3. Education Fund could be increased by twenty-four percent, the
4. Operation...the Building Fund could be increased by twelve and
5. a half percent, which would have to be done by the affirmative
6. action of an elected board of education, people that stand for
7. election in your school districts, and are subject to a backdoor
8. referendum. Another six cents...six percent could be increased
9. in the Capital Improvements Fund, but that would be subject to
10. a direct referendum, even under this bill. So, you're talking
11. about a very small amount of increase in transportation, summer
12. classes, and fire prevention and safety funds, which many school
13. boards, as to the latter two probably wouldn't seek to increase,
14. but as to transportation we know that they're all being squeezed.
15. I would suggest to you, that what you're doing here, is allowing
16. an elected board to bite the bullet through permissive legislation,
17. not mandate, permissive legislation, that if they think they can
18. justify to the people that have elected them, that more funds are
19. ...are justified from local taxes, we're giving them that authority.
20. I think there is nothing wrong with that, I think that is a
21. Democratic process, you have the safeguards of the backdoor refer-
22. endum on the two highest impact funds in the...in this bill. I
23. would solicit your Aye vote.

24. PRESIDENT:

25. The question is, shall House Bill 1071 pass. Those in favor
26. will vote Aye. Those opposed will vote Nay. The voting is open.
27. Have all voted who wish? Have all voted who wish? Have all voted
28. who wish? Take the record. On that question, the Ayes are 19,
29. the Nays are 35, none Voting Present. House Bill 1071, having
30. failed to receive the required constitutional majority is declared
31. lost. On the Order of House Bills 3rd reading, House Bill 1252.
32. Read the bill, Mr. Secretary.

33. SECRETARY:

1. House Bill 1252.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Keats.

6. SENATOR KEATS:

7. Thank you, Mr. President, and Ladies and Gentlemen of the
8. Senate. Senate Bill 1252 as been amended somewhat from the format
9. you originally see in your Digest. What it really does, is we
10. are shifting around funds based on the use of the corporate
11. personal property tax, this shifts money originally a substantial
12. amount of money away from Chicago, and now shifts some back. I
13. think you're aware that due to the problems of Chicago where they
14. collected less of the corporate personal property...or less of
15. the original tax, and perhaps getting more in corporate...corporate
16. personal property tax, they are now as a compromise with the
17. State as a whole, giving up some of that revenue. And so for that
18. reason...and I would ask that some others speak on the bill, but
19. for that reason, I think this is probably a pretty decent com-
20. promise, and I would ask for your support.

21. PRESIDENT:

22. Further discussion? Senator Berman.

23. SENATOR BERMAN:

24. Thank you, Mr. President, and Ladies and Gentlemen of the
25. Senate. I rise in support of this bill. One of the amendments
26. that Senator Keats referred to, is to clarify the procedure that
27. was followed last year, and adopted by the State Board of Education
28. in the formula dealing with the replacement corporate personal
29. property tax replacement tax. This provides the formula that
30. was embodied in the agreement that was the political compromise
31. between downstate and Chicago, and Cook County when we passed
32. the Corporate Personal Property Tax Bill last year. I would
33. urge an Aye vote.

1. PRESIDENT:

2. Further discussion? Senator Bruce.

3. SENATOR BRUCE:

4. Well, thank you, Mr. President. We've seen this before, and
5. defeated it once before. And I would ask for your negative vote
6. on this. Any of you who represent a district outside the City of
7. ...of Chicago, you're going to take six and a half million dollars
8. out of your pocket and give it to them for one reason, for one
9. reason alone, and that is in downstate Illinois, and outside the
10. County of Cook, and outside the City of Chicago, we paid personal
11. property taxes. And the difference between the extention and the
12. collection was less than one-tenth of one percent in most counties.
13. And so there isn't any difference between extention and collection.
14. In Cook County, they extended the tax, but they didn't collect
15. it, they barely got sixty percent of the tax. And Senator Berman
16. is exactly correct, we struck a political...compromise when we
17. passed the corporate personal property tax legislation, which
18. allowed Chicago, based on 1978 extentions to share in the pot.
19. And we took the 1979 collections for downstate, and that was
20. what we were going to use, and that's what we ought to use, we
21. ought to continue to use. Now, what this bill says, is they
22. want to come back now and change that formula because they don't
23. like the fact that we used the difference between collection ex-
24. tentions, and if we change the definition now, Chicago School
25. Systems will pick up six and a half million dollars. And I don't
26. ...you know where it comes from, it comes from the people and
27. the taxpayers that Senator Totten has worried about all these
28. years, the poor stiff that's paid his taxes, who was dumb enough
29. to pay personal property taxes for year, after year, after year,
30. his reward for that hard work is the fact that now we go down and
31. take it out of his pocket and send it to the City of Chicago
32. schools. Now, that's what this bill says, if you did a good job
33. collecting your taxes, you're penalized. If you extended a lot of

1. taxes, and did not collect them, then you get a windfall of six
2. and a half million dollars. It's an outrageous proposal, it was
3. defeated before. I don't know why Senator Keats has it, his
4. people paid personal property taxes in Evanston, they're the
5. ones that are going to lose the money, they're the ones that
6. are going to have the money shifted right out of their school
7. district. I don't know where the School Problems Commission
8. got this gem, it didn't get out of the House, it could not
9. pass in the form that Senator Berman wants to have it, they
10. had to amend it, they ran it over here, amended it in committee,
11. now they hope to work it back through the House in the last days.
12. It won't work over there, it ought not to work over here. It
13. was defeated once, let's give this the just funeral it deserves
14. right now.

15. PRESIDENT:

16. Further discussion? Senator Keats may close.

17. SENATOR KEATS:

18. Thank you, Mr. President. I...I did want to explain to
19. Senator Bruce, I'm not a child molester or a mass murderer, honest.
20. This bill...and...and Senator Bruce is a hundred percent correct,
21. it is a political compromise, in one area Chicago gave up some
22. funds, we're giving a little back here. From our point of view,
23. it's a net plus. I've got to be frank and say am I a hundred per-
24. cent happy with the bill, no. Do I think it's about the best
25. we're going to work out for the State of Illinois and the kids,
26. yes. Have we passed some bills that weren't perfect but at least
27. were a step in the right direction, occasionally. And on that
28. corporate personal property tax, I didn't vote for that compromise
29. you're talking about anyway, so we won't even get into that. I
30. understand your objections, I do not claim this is a perfect bill,
31. I simply say we cannot do better than this. And I would ask your
32. support.

33. PRESIDENT:

1. The question is, shall House Bill 1252 pass. Those in favor
2. will vote Aye. Those opposed will vote Nay. The voting is open.
3. Have all voted who wish? Have all voted who wish? Senator Egan,
4. will you vote Senator Donnewald Aye. Have all voted who wish?
5. Yes, Senator Savickas Aye. Take the record. On that question, the
6. Ayes are 32, the Nays are 25, none Voting Present. House Bill
7. 1252, having received the required constitutional majority is
8. declared passed. Yes, Senator Bruce.

9. SENATOR BRUCE:

10. I haven't done it in several, several days, why don't we just
11. verify that one so no one can ever say that they didn't have their
12. switch pulled on that one, all right?

13. PRESIDENT:

14. All right, Senator Bruce has requested a verification of the
15. roll call. Will the members please be in their seats. Mr. Secretary,
16. please read the affirmative roll.

17. SECRETARY:

18. The following voted in the affirmative:

19. Berman, Carroll, Chew, Collins, D'Arco, Davidson, Dawson,
20. DeAngelis, Degnan, Donnewald, Egan, Jeremiah Joyce, Keats, Kent,
21. Mahar, Maitland, Marovitz, McLendon, Nash, Nedza, Nega, Netsch,
22. Newhouse, Nimrod, Ozinga, Philip, Rhoads, Savickas, Taylor, Thomas,
23. Walsh, and Mr. President.

24. PRESIDENT:

25. Senator Bruce, do you question the presence of any member?

26. SENATOR BRUCE:

27. Senator Chew?

28. PRESIDENT:

29. Senator Chew on the Floor? Is Senator Chew on the Floor?
30. Strike his name, Mr. Secretary.

31. SENATOR BRUCE:

32. Senator Mahar?

33. PRESIDENT:

1. Senator Mahar is in his seat.

2. SENATOR BRUCE:

3. Senator Kent?

4. PRESIDENT:

5. Senator Kent? Senator Kent on the Floor? Senator Kent on
6. the Floor? Strike her name, Mr. Secretary.

7. SENATOR BRUCE:

8. Senator D'Arco is here. Senator Dawson?

9. PRESIDENT:

10. Senator Dawson is in his chair, Senator Bruce.

11. SENATOR BRUCE:

12. He must have gotten back in here. Senator Marovitz?

13. PRESIDENT:

14. Senator Marovitz on the Floor? Right in the telephone booth,
15. Senator Bruce.

16. SENATOR BRUCE:

17. Senator Thomas?

18. PRESIDENT:

19. Senator Thomas is in his seat.

20. SENATOR BRUCE:

21. I can't see Senator Davidson, but I'm sure he's there.

22. PRESIDENT:

23. Senator Davidson is in his chair.

24. SENATOR BRUCE:

25. I knew you were going to do that Doc, but I wanted you...I
26. didn't want you to miss your opportunity.

27. PRESIDENT:

28. Question the presence of any further member?

29. SENATOR BRUCE:

30. Senator Philip?

31. PRESIDENT:

32. Senator Philip on the Floor? Senator Philip on the Floor?
33. Yes, Senator Philip is in the phone booth.

1. SENATOR BRUCE:

2. And my...my seatmate I'm sure...

3. PRESIDENT:

4. Senator Savickas is here. Yes.

5. SENATOR BRUCE:

6. ...Savickas has come back on the Floor...very close. I think that will

7. do it, Mr. President. Thank you.

8. PRESIDENT:

9. All right. The roll has been verified. On that question,
10. the Ayes are 30, the Nays are 25, none Voting Present. House Bill
11. 1252, having received the required constitutional majority is de-
12. clared passed. Senator Berman.

13. SENATOR BERMAN:

14. Having voted on the prevailing side...

15. PRESIDENT:

16. Senator Berman, having voted on the prevailing side, moves
17. to reconsider the vote by which House Bill 1252 has passed. Senator
18. Taylor moves to Table that motion. All in favor signify by saying
19. Aye. All opposed. The Ayes have it. The motion to Table carries.
20. On the Order of House Bills 3rd reading, is House Bill 1253. Read
21. the bill, Mr. Secretary.

22. SECRETARY:

23. House Bill 1253.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Netsch.

28. SENATOR NETSCH:

29. Yes, it was a nice little bill, which is no longer. It has
30. now been substituted...I thought it was going to be added on, but
31. as a matter of fact, we deleted everything after the enacting
32. clause, and did add something that I fully agree with that is
33. very important. It was Senator Berman's amendment, it has to do

1. with penalties on the sales tax. And I will let him explain it.

2. PRESIDENT:

3. Senator Berman.

4. SENATOR BERMAN:

5. Thank you. This bill under its amended form does something
6. that I think that most of the people that are concerned about the
7. revenue status of the State should take careful note of. At the
8. present time, under the Retail Occupation Tax Act and the related
9. Acts, the Use Tax Act, Service Tax Act, there is a one percent
10. penalty for non-payment of these vital State taxes. That amounts
11. to twelve percent a year, and I can tell you Ladies and Gentlemen,
12. that's cheap money. And there is millions of dollars outstanding
13. intentionally because of the high cost of dollars today. This
14. amendment brings the penalty into the current, present economic
15. situation, and makes it a penalty, not a giveaway, but raising
16. it from one percent a month to two percent a month. And if a
17. person is going to hold back from the State the proper taxes that
18. they owe, they ought to be paying a penalty. We just lifted the
19. usury limits on consumer loans from eighteen percent on up, I
20. don't know where it will be. We certainly ought to pass this
21. bill that will incur a liability of two percent a month for
22. legally owed taxes under State sales tax to the State of Illinois.
23. I urge your Aye vote.

24. PRESIDENT:

25. Is there any discussion? Senator Netsch, do you wish to close?

26. SENATOR NETSCH:

27. I fully approve of the bill. Let's move it.

28. PRESIDENT:

29. The question is, shall House Bill 1253 pass. Those in favor
30. will vote Aye. Those opposed will vote Nay. The voting is open.
31. Senator Buzbee, will you get Senators Donnewald and Bruce, please.
32. Have all voted who wish? Have all voted who wish? Have all voted
33. who wish? Take the record. On that question, the Ayes are 48,

1. the Nays are 4, 3 Voting Present. House Bill 1253, having received
2. the required constitutional majority is declared passed. On the
3. Order...Senator D'Arco? Senator D'Arco, 1313? On the Order of
4. House Bills 3rd reading, is House Bill 1313. Read the bill, Mr.
5. Secretary.

6. SECRETARY:

7. House Bill 1313.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator D'Arco.

12. SENATOR D'ARCO:

13. Thank you, Mr. President. What this does is provide in the
14. Unlawful Use of Weapons Section of the Statute, and also in the
15. Unlawful Possession of a Firearm and Firearm Ammunition Section
16. of the Statute. The provision that the sale, possession, man-
17. ufacture of an explosive bullet is unlawful. That is a bullet
18. that has an explosive charge in the projectile and it explodes
19. on impact when it makes contact with the human body. And everyone,
20. I believe, is in agreement that it should be unlawful, and we
21. did amend the bill to take care of a jurisdiction question that
22. Senator...Sommer raised. And I know of no opposition. And ask
23. for a favorable vote.

24. PRESIDENT:

25. Any discussion? If not, the question is, shall House Bill
26. 1313 pass. Those in favor will vote Aye. Those opposed will vote
27. Nay. The voting is open. Have all voted who wish? Have all
28. voted who wish? Have all voted who wish? Take the record. On
29. that question, the Ayes are 55, the Nays are none, none Voting
30. Present. House Bill 1313, having received the required constitutional
31. majority is declared passed. 1353 is on the recall list, I am
32. informed. 1356, Senator Degnan. On the Order of House Bills 3rd
33. reading, is House Bill 1356. Read the bill, Mr. Secretary.

1. SECRETARY:

2. House Bill 1356.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Degnan.

7. SENATOR DEGNAN:

8. Thank you, Mr. President. House Bill 1356 remedies a problem
9. that currently exists in our law relating to special service area
10. taxing districts. The present law permits any municipality or
11. county to designate any contiguous territory within its corporate
12. boundaries as a special service area by ordinance after a public
13. hearing. The current law is not clear that a completely surrounded
14. territory can be excluded from a special service area. Senate
15. Amendment No. 1, I think, clarified the bill to the Illinois
16. Municipal League's concurrence. And I would ask for a favorable
17. roll call.

18. PRESIDENT:

19. Is there any discussion? If not, the question is, shall House Bill
20. 1356 pass. Those in favor will vote Aye. Those opposed will vote
21. Nay. The voting is open. Have all voted who wish? Have all
22. voted who wish? Have all voted who wish? Take the record. On
23. that question, the Ayes are 48, the Nays are 2, 1 Voting Present.
24. House Bill 1356, having received the required constitutional
25. majority is declared passed. 1360, Senator D'Arco. Bottom of
26. page 8. On the Order of House Bills 3rd reading, is House Bill
27. 1360. Read the bill, Mr. Secretary.

28. SECRETARY:

29. House Bill 1360.

30. (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator D'Arco.

1. SENATOR D'ARCO:

2. Thank you, Mr. President. Senate Bill 1360 provides that
3. the State trial court judge can reduce...I shouldn't say reduce,
4. I should say modify, a convicted person's sentence up to sixty
5. days from the last day of the appeal process. The original...
6. I mean the bill...the law presently simply provides that he can
7. do that from thirty days after sentencing, and not any time after
8. that. The Federal system, which this is based upon, provides for
9. the sixty day from the last appeal process. And the reason they
10. do that, is because prosecutors use it as a mechanism after a
11. person is sentenced, they try to get the person to cooperate, and
12. divulge information, and therefore go back to the trial court,
13. and if they do cooperate, ask the trial court judge to reduce that
14. person's sentence accordingly. It is a good prosecutorial tool.
15. And I would ask favorable vote of House Bill 1360.

16. PRESIDENT:

17. Any discussion? Senator Joyce.

18. SENATOR JEREMIAH JOYCE:

19. A question of the sponsor.

20. PRESIDENT:

21. Sponsor indicates he'll yield. Senator Joyce.

22. SENATOR JEREMIAH JOYCE:

23. Are you saying that you are in favor of the concept of having
24. prosecutors go out and visit convicted felons and get them to
25. turn stool pigeon?

26. PRESIDENT:

27. Senator D'Arco.

28. SENATOR D'ARCO:

29. No, I'm not in favor of the concept of a person turning
30. stool pigeon, no.

31. PRESIDENT:

32. Senator Joyce.

33. SENATOR JEREMIAH JOYCE:

1. Well, statement. I...I think there should be some finality
2. to this process. At some point we should say, it ends here, and
3. Now, we have various remedies presently available, we're going to
4. have this thing drag on, and on, and on, and it's going to go
5. through the process...through the appellate process, and now
6. we're going to go back to the trial court, and we're going to
7. have the judge review this again. I mean when is it going to
8. end? As an aside..I saw a special on TV last night, and they
9. dealt with this very problem with the abuse of...of the government
10. being involved with coercing prisoners to become State's witnesses,
11. and the credibility of those witnesses. I just think this is
12. a bad bill. I think we should end it at some point, and I think
13. that the present law is sufficient.

14. PRESIDENT:

15. Further discussion? Senator Bowers.

16. SENATOR BOWERS:

17. Sponsor yield to a question?

18. PRESIDENT:

19. Indicates he'll yield. Senator Bowers.

20. SENATOR BOWERS:

21. The...the thought that intrigued me, when you said it was
22. a good prosecutorial tool, it's my understanding the State's
23. Attorney of Cook County is opposed to this, at least, I thought
24. I got a memo saying that. And if that's the case, and this
25. is such a good prosecutorial tool, I wondered by he was opposed
26. to it?

27. PRESIDENT:

28. Senator D'Arco.

29. SENATOR D'ARCO:

30. I haven't spoken to him, so I have no...you know, I have...
31. he doesn't speak to me, and I don't speak to him, so I...I...you
32. know, I just don't know.

33. PRESIDENT:

1. Senator Bowers.

2. SENATOR BOWERS:

3. Well, I have a serious question whether it is a good
4. prosecutorial tool, we killed this very bill, or at least,
5. a very similar bill...that Senator Marovitz had. And I suspect
6. this one ought to have the same fate.

7. PRESIDENT:

8. Further discussion? Senator D'Arco, do you wish to close?

9. SENATOR D'ARCO:

10. Thank you, Mr. President. Let me point out, that this is
11. not a...a process that doesn't end, because it is sixty days after
12. the final appeal process is terminated. So, it does come to a
13. conclusion, plus the fact that this is what is the law in the
14. Federal system today. It is simply bringing that State system up to
15. what the Federal system has been doing for a long time. I would
16. ask a favorable vote of House Bill 1360.

17. PRESIDENT:

18. The question is, shall House Bill 1360 pass. Those in favor
19. will vote Aye. Those opposed will vote Nay. The voting is open.
20. Have all voted who wish? Have all voted who wish? Have all voted
21. who wish? Have all voted who wish? Take the record. On that
22. question, the Ayes are 15, the Nays are 34, none Voting Present.
23. House Bill 1360, having failed to receive the required constitu-
24. tional majority is declared lost. Is there leave to get back to
25. 1438 when my relief shows up? Leave is granted. Senator DeAngelis,
26. 1447. On the Order of House Bills 3rd reading, is House Bill 1447.
27. Read the bill, Mr. Secretary.

28.

29.

30.

(END OF REEL)

31.

32.

33.

1. SECRETARY:

2. House Bill 1447.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator DeAngelis.

7. SENATOR DEANGELIS:

8. Yes, this bill was...half explained yesterday. I'll explain
9. it in total today. The bill initially started out requiring that
10. any school board that had two unbalanced budgets to file
11. immediately with the State Board of Education. Amended into
12. it also were, prohibition against changing from a cash basis
13. to an accrual basis, some changes in the statements of affairs,
14. the method by which audit reports are given to the State of
15. Board of Education and the additional requirement of a com-
16. pliance questionnaire. These recommendations all came out
17. of the Chicago Board of Education Investigative Commission.
18. Be happy to answer any questions.

19. PRESIDENT:

20. Senator Berman.

21. SENATOR BERMAN:

22. Thank you, Mr. President. I rise in support of this bill.
23. It's good legislation. Senator DeAngelis did an excellent job
24. as co-chairman of that investigating commission and I want
25. to commend him publicly.

26. PRESIDENT:

27. Further discussion? If not, the question is, shall House
28. Bill 1447 pass. Those in favor will vote Aye. Those opposed
29. will vote Nay. The voting is open. Senator Carroll, will you
30. get Senator Savickas please. Senator Donnewald. Have all voted
31. who wish? Have all voted who wish? Have all voted who wish?
32. Take the record. On that question, the Ayes are 52, the Nays
33. are 1, none Voting Present. House Bill 1447 having received

1. the required constitutional majority is declared passed. 1458.
2. On the Order of House Bills 3rd reading is House Bill 1458.
3. Read the bill, Mr. Secretary.

4. SECRETARY:

5. House Bill 1458.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Maitland.

10. SENATOR MAITLAND:

11. Thank you, Mr. President and Ladies and Gentlemen of the
12. Senate. Currently...school boards...may levy a tax at a rate
13. not to exceed five cents without a referendum for...for fire
14. prevention, environmental or energy conservation purposes. And
15. this legislation extends...that...energy conservation aspect
16. to energy conservation on busses and vehicles that they use
17. within their system.

18. PRESIDENT:

19. Any discussion? Senator Totten.

20. SENATOR TOTTEN:

21. Well, thank you, Mr. President and Ladies and Gentlemen of
22. the Senate. House Bill 1458 appears to be another product of
23. the School Problems Commission and again follows the trend of
24. increasing the tax...increasing the authority...for raising
25. taxes without a referendum. This does it by expanding the
26. definitions of what things...of what things can be included
27. in a tax to energy efficient or energy conservation measures
28. on school vehicles. This, again, is a tax increase without
29. referendum because they're expanding the definition. This
30. passed out of committee by the dramatic vote of 3 to 2. I,
31. again, suggest that those who are...interested in having the
32. taxpayers have a voice in how much their tax burden is going to be,
33. will find this bill another bad one and I would recommend a
34. No vote.

1. PRESIDENT:

2. Further discussion? Senator Keats.

3. SENATOR KEATS:

4. Thank you, Mr. President. Senator Totten hit an interesting
5. point. One of those two No votes was yours truly. This non-
6. referendum tax is specifically for emergency...life safety
7. things, et cetera. Let me tell you some of the life safety things
8. that have been done in my district, a new sidewalk, a new
9. tartan track, new lights for a field house, replacing windows
10. in a local high school and new exhaust fan for a gymnasium.
11. That was life safety. This now expands to some of the more
12. other lucrative areas that we could get into that are life
13. and death issues, a nonreferendum tax and I think that perhaps
14. we should consider what it's been used for in the past before
15. we expand it.

16. PRESIDENT:

17. Any further discussion? Senator Maitland may close.

18. SENATOR MAITLAND:

19. Thank you, so much, Mr. President. What Senator Totten
20. says is very true. We are expanding the area in which this money
21. can be...be levied and let me also tell you something else
22. that I meant to...to mention to you in my opening remarks.
23. Many schools are not now levying this amount. In all honesty,
24. that's also a fact. The House sponsor would like this bill
25. very much.

26. PRESIDENT:

27. The question is, shall House Bill 1458 pass. Those in
28. favor will vote Aye. Those opposed will vote Nay. The voting
29. is open. Senator Egan, will you get Senator Donnewald? Senator
30. Savickas. I don't know about Senator Bruce. Senator Savickas
31. I'm sure wants to vote green. Yeah. Okay. Have all voted
32. who wish? Have all voted who wish? Take the record. On that
33. question, the Ayes are 18, the Nays are 36, none Voting Present.

HB 1474
3rd Reading
6-26-81

1. House Bill 1458 having failed to receive the required con-
2. stitutional majority is declared lost. On the Order of House
3. Bills 3rd reading is House Bill 1474. Read the bill, Mr.
4. Secretary.

5. SECRETARY:

6. House Bill 1474.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator McLendon.

11. SENATOR MCLENDON:

12. Mr. Speaker and members of the Senate, all that this bill
13. does is to see that citizens who are the beneficiaries of
14. charitable trusts will have the right to petition the court
15. if the Attorney General refuses to act in being sure that the
16. charitable trusts are properly administered so that citizens
17. have a standing before the court. There are three amendments
18. on the bill. One by Senator Bowers and...one raises the limit
19. of contributions to Moose Clubs, Elks Clubs, Kiwanis, and Lions.
20. It merely eliminates the need, under present law, to include
21. CPA's report along with the officer's report until the gross
22. receipts in any one year reaches fifty thousand dollars. It
23. is now twenty-five thousand dollars. I ask the approval of
24. the Senate to this bill.

25. PRESIDENT:

26. Any discussion? Senator Simms.

27. SENATOR SIMMS:

28. Would the sponsor explain what is Amendment No. 3?

29. PRESIDENT:

30. Senator McLendon.

31. SENATOR MCLENDON:

32. It merely eliminates the need, under which...present law,
33. to include CPA's report along with the officer's report until

1. the gross receipts...receipts in any one year reaches fifty
2. thousand dollars. It is now twenty-five thousand dollars.

3. PRESIDENT:

4. Senator Sangmeister.

5. SENATOR SANGMEISTER:

6. Yes, if I may address that because I...Amendment No. 3
7. was put on, as I understand it, at the request of many clubs
8. such as...Senator McLendon indicated, the Lions Club, Kiwanis,
9. and all that. Apparently they got to report to the Attorney
10. General a certain report if they receive over twenty-five
11. thousand dollars in any one year. And, of course, you know,
12. if a Lions Club has a...a...a raffle or anything, they take
13. in a lot of money to sell a car. All that's got to now be
14. reported. This amendment increases the twenty-five to fifty
15. thousand. So, if they're operating under fifty thousand, they
16. don't need to make the report that they had to make before.
17. That's why, if you've heard from your Lions Club or Kiwanis
18. Club and all the social organizations...all not-for-profit.
19. That's, frankly, the best part of the bill, as I can see.
20. Now, as far as the other part of the bill is concerned,...I
21. would suggest that...the man that put the amendment on in
22. committee, to make this a good bill, ought to explain that
23. amendment. But...that's my interest in it and for that reason
24. I'm supporting the bill because those social organizations
25. would like to have this.

26. PRESIDENT:

27. Further discussion? I...Senator Simms, I didn't mean
28. to cut you off. Okay. Senator Marovitz.

29. SENATOR MAROVITZ:

30. Thank you, very much, Mr. President and Ladies and Gentle-
31. men of the Senate. I'd like to commend the sponsor of this
32. bill,...as well as the House sponsor, Representative Catania.
33. There were certain problems with this bill in committee, we

1. brought that to the attention of Representative Catania and..
2. Senator McLendon, they vowed to hold this bill until the amend-
3. ments were added and to speak to all parties that were interested
4. in this legislation. They did hold this bill, they worked
5. with all the...the parties that had any problems, they worked
6. with all of us on the committee, they held this bill as long
7. as they could, they drafted amendments, it's been...amended
8. to everyone's liking, at least...as far as Catania and...Senator
9. McLendon could work with them and I really think that they...
10. deserve a...the support of everyone on this legislation. They
11. really put in a lot of time in trying to make this amenable
12. to everybody.

13. PRESIDENT:

14. Any further discussion? Senator...Senator Netsch.

15. SENATOR NETSCH:

16. Thank you, Mr. President. I would like to call attention
17. briefly to Amendment 4, which is Senator Bowers' amendment, and
18. I guess he must not be available on the Floor because I don't
19. hear him explaining or...speaking to the amendment. It is
20. fairly important though and I don't think it ought to be
21. adopted without everyone being conscious of it. It does
22. deal with the problem of...a charitable trust, which is thought
23. to be mismanaged or otherwise abused and a case where the
24. Attorney General does not, himself, choose to move in and take
25. any action. This arose particularly out of problems surrounding,
26. as I recall, the Harding Museum in...Chicago. The provision has
27. been extensively amended from the original provision and although
28. I realize there may be still some dispute about it, I think it
29. is reasonably acceptable. It does permit any ten persons to...
30. to petition the Attorney General to institute appropriate pro-
31. ceedings to secure the proper administration of a trust under
32. this Act. There are various qualifications on how the petition
33. must be filed and it does provide that if the Attorney General

1. fails to institute the proceedings pursuant to such a request,
2. the parties may apply to the circuit court for leave to bring
3. the action themselves. And then it sets out the circumstances
4. under which the court may or may not...permit the suit to be
5. filed. It does not allow these individuals to go in completely
6. on their own without either first giving the Attorney General
7. an opportunity to review their request and file his own action
8. and even then it does require court approval for the petition
9. to be filed. In that regard, I don't think it in any way
10. interferes with the Attorney General's powers and I think
11. it is...acceptable.

12. PRESIDENT:

13. Further discussion? Senator McLendon may close.

14. SENATOR MCLENDON:

15. Yes,...Mr. President and members of the Senate, I have
16. been advised by the sponsor that the Attorney General has no
17. objection to the bill as is stated now. I ask for the vote
18. of the Senate.

19. PRESIDENT:

20. The question is, shall House Bill 1474 pass. Those in
21. favor will vote Aye. Those opposed will vote Nay. The voting
22. is open. Have all voted who wish? Have all voted who wish?
23. Have all voted who wish? Senator Nedza. Have all voted who
24. wish? Take the record. On that question, the Ayes are 30,
25. the Nays are 22, 4 Voting Present. House Bill 1474 having
26. received the required constitutional majority is declared
27. passed. Senator Rhoads, for what purpose do you arise?

28. SENATOR RHOADS:

29. Request a verification of the affirmative vote.

30. PRESIDENT:

31. Senator Rhoads has requested a verification of the
32. affirmative vote. Will the members please be in their seats.
33. Will the members please be in their seats. Mr. Secretary,
34. read the affirmative roll.

1. SECRETARY:

2. The following voted in the affirmative: Berman, Bowers,
3. Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Dawson, Degnan,
4. Demuzio, Donnewald, Egan, Geo-Karis, Hall, Johns, Jeremiah
5. Joyce, Jerome Joyce, Marovitz, McLendon, Nash, Nedza, Nega,
6. Netsch, Newhouse, Sangmeister, Savickas, Taylor, Vadalabene,
7. Mr. President.

8. PRESIDENT:

9. Senator Rhoads.

10. SENATOR RHOADS:

11. Senator Jeremiah Joyce.

12. PRESIDENT:

13. Is Senator Joyce on the Floor? Coming out the chute.

14. SENATOR RHOADS:

15. Senator Nash.

16. PRESIDENT:

17. Is Senator Nash on the Floor? Well, I have yet to see him.
18. There's Senator Nash in the phone booth.

19. SENATOR RHOADS:

20. Senator Lemke.

21. PRESIDENT:

22. Not on the roll call.

23. SENATOR RHOADS:

24. I'm sorry. Senator Geo-Karis.

25. PRESIDENT:

26. Is Senator Geo-Karis on the Floor? Is Senator Geo-Karis on
27. the Floor? Strike her name, Mr. Secretary. That request is in
28. order. Senator McLendon has requested a verification of the
29. negative roll call. Mr. Secretary read the negative votes.

30. SECRETARY:

31. The following voted in the negative: Becker, Berning,

1. Bloom, Coffey, Davidson, DeAngelis, Etheredge, Keats, Kent,
2. Maitland, McMillan, Nimrod, Philip, Rhoads, Rupp, Simms, Schaffer,
3. Sommer, Thomas, Totten, Walsh, Weaver.

4. PRESIDENT:

5. Alright. The roll has been...you question the presence of
6. any negative, Senator McLendon.

7. SENATOR MCLENDON:

8. No, I don't, Mr. President.

9. PRESIDENT:

10. Alright. The roll has been verified. On that question,
11. there are 29 Ayes, 22 Nays. The sponsor requests that further
12. consideration be postponed. So ordered. Senator Bowers on
13. 1503. On the Order of House Bills 3rd reading, top of page 9
14. is House Bill 1503. Read the bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 1503.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Bowers.

21. SENATOR BOWERS:

22. Thank you, Mr. President. They're all on this side now
23. knowing why I voted Aye on the last bill. This particular
24. bill amends the...amends the...portion of the Municipal Code
25. that relates to...improvements...public improvements and it
26. does amend the public improvement section to permit...a more
27. realistic interest rate. As you know, we have over the years...
28. or in the last few years at least in the General Assembly
29. corrected all of the interest rate factors...where the interest
30. rate is controlled and the basic...formula that's been arrived
31. at in almost all instances I know of, at least that have
32. been changed recently, has been at a rate which is greater
33. of nine percent or seventy percent of the prime commercial

1. rate. Now,...this is...one particular area where we have not
2. amended it. As a practical matter,...special improvement
3. bonds...simply are not saleable...and...so...this particular
4. process has pretty much come to a halt. Now, there was an
5. amendment placed on the bill yesterday. Senator Friedland
6. has a municipality in his district that wants to start
7. immediately and they've got the same problem, so there is
8. an immediate effective date...went on yesterday and if there
9. are...no questions, I would appreciate a favorable roll call.

10. PRESIDENT:

11. Is there any discussion? If not, the question is, shall
12. House Bill 1503 pass. Those in favor will vote Aye. Those
13. opposed will vote Nay. The voting is open. Have all voted
14. who wish? Have all voted who wish? Have all voted who wish?
15. Take the record. On that question, the Ayes are 53, the Nays
16. are 1, none Voting Present. House Bill 1503 having received
17. the required constitutional majority is declared passed. 1535,
18. Senator Egan. On the Order of House Bills 3rd reading is
19. House Bill 1535. Read the bill, Mr. Secretary.

20. SECRETARY:

21. House Bill 1535.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Egan.

26. SENATOR EGAN:

27. Thank you, Mr. President and members of the Senate. House
28. Bill 1535 establishes the Local Government...Governmental Law
29. Enforcement Officers Fund to provide funding for local and
30. State-wide law enforcement training. Presently this training
31. is financed either entirely locally or...partially locally and
32. partially...by...with State General Revenue funds. This fund will be
33. established in the Treasury as a separate fund to fund specifically

1. nothing but law enforcement training. Until now we have been
2. able to afford a modest amount of law enforcement training, but
3. becomes very difficult now out of General Revenue. The fund
4. is established, I think, almost...well, it's not identical,
5. but it's certainly very similar to the fund that we established
6. yesterday for the crime victims. And...the...the breakdown
7. is similar. I know Senator Grotberg had the question from
8. whence will the fund arise and it comes from the assessment
9. or the fine cost...part of the provision in the fine up to
10. thirty-nine dollar fine is two dollars, forty dollar to
11. fifty-nine dollar fine is four dollars, sixty to eighty is
12. six dollars, eighty to a hundred is eight dollars, and over
13. a hundred dollar fine the fund will provide ten percent of
14. the total fine imposed. Consequently, you take from the
15. burden of the General Revenue Fund the need to finance the
16. ...local and State-wide law enforcement training and I ask
17. for your favorable consideration.

18. PRESIDENT:

19. Is there any discussion? Senator Berning. Senator Bloom.

20. SENATOR BERNING:

21. Thank you, Mr. President.

22. PRESIDENT:

23. Thank you.

24. SENATOR BERNING:

25. Just...just one question of the sponsor of the...the bill
26. is a laudable...objective and I see no problem with it. My
27. only question is, why...the amendment was only put on yester-
28. day so it's a little bit...new and I don't know that you...
29. explained, but if you didn't, would you mind explaining why
30. the bail posted...assessments were eliminated?

31. PRESIDENT:

32. Senator Egan.

33. SENATOR EGAN:

1. Because the principal provision in that first page of
2. the bill required...money to be taken from small traffic fines
3. and parking fines and the desire by the sponsors was to
4. eliminate the need for that, because they felt that it would
5. ...it was...unnecessary.

6. PRESIDENT:

7. Further discussion? Senator Berning.

8. SENATOR BERNING:

9. Well, maybe we're not reading the same thing. I don't see
10. that the...criminal...fine has been affected. The only thing
11. that I see that has been affected is the...bail that has been
12. posted...against which then there is no assessment and I thought
13. that was a laudable idea that it should be. And I...I was just
14. curious as to why that...additional revenue was...then...written
15. out of this.

16. PRESIDENT:

17. Senator Egan.

18. SENATOR EGAN:

19. Well, because most of...most bail bonds...the overwhelming
20. number of them are in traffic offenses and it was felt un-
21. necessary to have to...bog down in the administration of taking
22. the money from every bail bond and every traffic offense and
23. they just didn't want it. So, they had that removed.

24. PRESIDENT:

25. Any further discussion? If not, the question is, shall
26. House Bill 1535 pass. Those in favor will vote Aye. Those
27. opposed will vote Nay. The voting is open. Have all voted
28. who wish? Have all voted who wish? Have all voted who wish?
29. Take the record. On that question, the Ayes are 50, the Nays
30. are 5, 1 Voting Present. House Bill 1535 having received the
31. required constitutional majority is declared passed. On the
32. Order of House Bills 3rd reading is House Bill 1609. Read
33. the bill, Mr. Secretary.

HB 1609
3rd Reading

1. SECRETARY:

2. House Bill 1609.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Marovitz.

7. SENATOR MAROVITZ:

8. Thank you, very much, Mr. President and Ladies and Gentlemen
9. of the Senate. House Bill 1609 is the increase in filing fees
10. for the...Circuit Court of Cook County. It's...it's identical
11. to Senate Bill 542, which is...being held in the House and is
12. on 3rd reading and...due to their Calendar, we're not sure if
13. it's going to get called. The amendment provides for a
14. comprehensive overhaul of filing fees according to Statute,
15. graduated increase in the filing fees based upon the gross
16. amount of the suit, a fee schedule for pro se matters, which
17. the Circuit Court of Cook County is the only pro se court in
18. State and exempts units of local government and school districts
19. unless...the court orders another party to pay on its behalf.
20. There has been a shortfall in fees in Cook County,...a short-
21. fall of...about two million dollars...two million eight
22. hundred and fifty thousand dollars and I would ask for an
23. affirmative roll call on this...Circuit Court fee bill for
24. the County of Cook.

25. PRESIDENT:

26. Further discussion? Senator Simms.

27. SENATOR SIMMS:

28. A question of the sponsor.

29. PRESIDENT:

30. Indicates...

31. SENATOR SIMMS:

32. Senator Marovitz, what is a pro se court?

33. PRESIDENT:

1. Senator Marovitz.

2. SENATOR MAROVITZ:

3. Yeah. A pro se court is...is a...court where the
4. individual has a grievance and handles it himself, doesn't
5. go through a lawyer. It's...it's a small case which they,
6. you know, want to...want to get handled very quickly. We've
7. decreased the filing fee to two dollars for under two-fifty.

8. PRESIDENT:

9. Further discussion? Senator Weaver.

10. SENATOR WEAVER:

11. A question of the Chair, Mr. President.

12. PRESIDENT:

13. Yes, Sir.

14. SENATOR WEAVER:

15. Amendment No. 3 seems to amend Chapter 37...and the bill...
16. amends Chapter 25. Just...I just wondered whether Amendment No.
17. 3 was germane to the bill?

18. PRESIDENT:

19. Senator Marovitz.

20. SENATOR MAROVITZ:

21. The amendment was adopted yesterday, I believe. I think...
22. any questions at that point would have been timely at that
23. point and I'm not trying to take away any right from the
24. Senator, my good friend, Senator Weaver, but the amendment
25. was adopted yesterday and at that time there was no question
26. of germaneness to my memory.

27. PRESIDENT:

28. Well, I don't think there's a question of waiver or Laches
29. here. The...the point is...is properly in order. Senator
30. Weaver, the...the Chair will...is prepared to rule that the
31. subject matter is the same and, therefore, the amendment is
32. germane, even though the chapter is different. Is there further
33. discussion? Senator Weaver.

1. SENATOR WEAVER:

2. Are you saying then, Mr. President, we do not have to
3. amend by chapter and be read three times by chapter?

4. PRESIDENT:

5. I...I didn't think I said that. That was not the question
6. that was asked me.

7. SENATOR WEAVER:

8. Well, that's the question I'm asking you. Whether or not
9. this bill, as amended, has been read three times by chapter.

10. PRESIDENT:

11. The bill has been...

12. SENATOR WEAVER:

13. ...by title.

14. PRESIDENT:

15. ...the bill has been read three times in accordance with
16. the provisions of the Constitution. Yes, Sir.

17. SENATOR WEAVER:

18. As amended?

19. PRESIDENT:

20. Well, the amendment was just placed on the bill. Alright.
21. Senator Marovitz, do you wish to close?

22. SENATOR MAROVITZ:

23. I would just ask for a favorable roll call on...on an
24. increase in fees for the County of Cook that is much needed.

25. PRESIDENT:

26. The question is, shall House Bill 1609 pass. Those in
27. favor will vote Aye. Those opposed will vote Nay. The voting
28. is open. Have all voted who wish? Have all voted who wish?
29. Get Senator Donnewald please. Have all voted who wish? Have
30. all voted who wish? Take the record. On that question, the
31. Ayes are 30, the Nays are 23, 1 Voting Present. House Bill
32. 1609 having received the required constitutional majority is
33. declared passed. Senator Becker, for what purpose do you arise?

1. SENATOR BECKER:

2. Thank you, Mr. President. On House Bill 1252, I believe,...
3. my vote shows that I voted in the negative, had I...had I been in
4. my seat, I...

5. PRESIDENT:

6. Well, we can still verify. That...that request is still...
7. I haven't done anything yet. I'm...I'm sorry, Senator Becker,...
8. too many people yelling at me here. On 1252 you wish the
9. record to indicate what?

10. SENATOR BECKER:

11. I wish the record to show that I would have voted in the
12. affirmative had I been in my seat.

13. PRESIDENT:

14. Alright. The record will so indicate. Senator Berning.

15. SENATOR BERNING:

16. I'd like to verify the affirmative, Mr. President.

17. PRESIDENT:

18. Alright. Senator Berning has requested a...a verification
19. of the affirmative roll call on House Bill 1609. Mr. Secre-
20. tary, read the affirmative roll call.

21. SECRETARY:

22. The following voted in the affirmative: Berman, Bruce,
23. Buzbee, Carroll, Chew, Collins, D'Arco, Dawson, Degnan, Demuzio,
24. Donnewald, Egan, Gitz, Hall, Johns, Jeremiah Joyce, Jerome Joyce,
25. Lenke, Marovitz, McLendon, Nash, Nedza, Nega, Netsch, Newhouse,
26. Sangmeister, Savickas, Taylor, Vadalabene, Mr. President.

27. PRESIDENT:

28. Yes. Senator Berning.

29. SENATOR BERNING:

30. Is Senator Vadalabene on the Floor?

31. PRESIDENT:

32. Is Senator Vadalabene on the Floor? Is Senator Vadalabene
33. on the Floor? Strike his name, Mr. Secretary. Senator

1. Marovitz, for what purpose do you arise?

2. SENATOR MAROVITZ:

3. Request a verification of the negative vote.

4. PRESIDENT:

5. Alright. Read the negative vote, Mr. Secretary.

6. SECRETARY:

7. The following voted in the negative: Becker, Berning,

8. Bloom, Coffey, Davidson, DeAngelis, Etheredge, Friedland,

9. Grotberg, Keats, Kent, Mahar, Maitland, McMillan, Nimrod,

10. Ozinga, Philip, Rhoads, Rupp, Schaffer, Simms, Thomas, Totten.

11. PRESIDENT:

12. Question...question the presence of any member, Senator

13. Marovitz.

14. SENATOR MAROVITZ:

15. Yes, I do. Senator Geo-Karis.

16. PRESIDENT:

17. Senator Geo-Karis. Well, he's got a right to question

18. the presence. Strike her name, Mr. Secretary. Oh, she's

19. here. Alright. The roll has been verified. On that question,

20. there are 29 Ayes, 23 Nays. The sponsor requests that further

21. consideration be postponed. So ordered. On the Order of House

22. Bills 3rd reading, House...Senator DeAngelis, for what purpose

23. do you arise?

24. SENATOR DEANGELIS:

25. Mr. President, a point of parliamentary inquiry. Can I

26. make it?

27. PRESIDENT:

28. Sure.

29. SENATOR DEANGELIS:

30. In that the...negative vote does not impact upon upon the...enactment...

31. PRESIDENT:

32. Well, you're...you're asking the Chair for an advisory

33. opinion. That question is not now before us. Senator Hall,

1. for what purpose do you arise?

2. SENATOR HALL:

3. A point of personal privilege.

4. PRESIDENT:

5. Yes, Sir.

6. SENATOR HALL:

7. I have been reliably...informed that the electronic genius in
8. the House has broken down and if many of you remember...

9. PRESIDENT:

10. You've been reliably informed that the House has broken
11. down.

12. SENATOR HALL:

13. ...that's...and that...they have...when Speaker Blair
14. was here they had to send to the east coast. Now, I
15. notified...I am informed that they're sending to the west
16. coast. We're shooting for August 1st.

17. PRESIDENT:

18. Good. Senator Joyce, for what purpose do you arise?

19. SENATOR JEREMIAH JOYCE:

20. Mr. President,...

21. PRESIDENT:

22. Yes, Senator Joyce.

23. SENATOR JEREMIAH JOYCE:

24. ...I move we adjourn.

25. PRESIDENT:

26. That motion is not in order at this time. Senator...
27. Vadalabene.

28. SENATOR VADALABENE:

29. Yes, on an announcement. I understand that the elevator
30. will probably be repaired when we get out of here.

31. PRESIDENT:

32. We can only hope. On the Order...well, it is kind of...
33. we were not on that order of business. That's all. On the

1. Order of House Bills 3rd reading, House Bill 1614. Read the
2. bill, Mr. Secretary.

3. SECRETARY:

4. House Bill 1614.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDENT:

8. Senator Gitz.

9. SENATOR GITZ:

10. Thank you, Mr. President and members of the Senate. House
11. Bill 1614, in its amended condition, does two things. Number
12. one, it implements...recommendations of the Local Government
13. Finance Committee. These pertain to optional language to
14. create local audit committees. Uniform audit procedures...
15. actually have increased bond ratings and in testimony from
16. Standard and Poor's and from investment bankers. So, this
17. would be an additional tool that is before local governments
18. to utilize to their benefit. Again, it is permissive. Secondly,
19. there were some original problems with House Bill 868, which
20. was passed over here last year, held in the Rules Committee
21. because it was not an emergency bill. This year where there's
22. some problems...constitutionality that...were raised by
23. Senator Nedza. We worked with attorneys to come up with
24. proper wording and when we looked with the parliamentarian,
25. it was decided that this was the best bill to put that language
26. into. So, the second...the first part of the bill, which has
27. been amended into this, would permit any city, village, or
28. incorporated town to refund any portion of real property taxes
29. levied by or collected for the municipality on residential
30. property occupied by the owner or owners thereof as their
31. principal dwelling residence. It sets out the conditions for
32. that. Again, it is permissive. Now, there is some small
33. villages who would like to have this language because they

1. feel that they are in a position to extend that benefit to their
2. citizens. I'd be happy to respond to any questions.

3. PRESIDENT:

4. Any discussion? Senator Mahar.

5. SENATOR MAHAR:

6. Thank you, Mr. President and members of the Senate. I
7. rise in opposition to this bill because of the amendment that
8. was just discussed by Senator Gitz. It seems to me that this
9. particular time...you're placing an undue burden on local
10. officials to come up with some kind of a system by which they
11. can redeem part or all of the local property taxes for persons
12. over sixty-five. Not only do they have to make a decision at
13. a time when they are very short on revenues, but they also have
14. to come up with a criteria and then they have to administer it.
15. This would not be the easiest thing in the world to administer
16. even...even in small communities where you wouldn't have the
17. material and background available and I would think this would
18. be the inappropriate time to take a reasonably good bill like 1614
19. and add an amendment on which I'm sure that the eighteen municipal-
20. ities in my district certainly don't want this legislation. I would
21. ask for a No vote.

22. PRESIDENT:

23. Further discussion? Senator Simms.

24. SENATOR SIMMS:

25. Would Senator Gitz yield for a question?

26. PRESIDENT:

27. Indicates he will yield, Senator Simms.

28. SENATOR SIMMS:

29. Senator Gitz, how would a...a small village, a municipality
30. handle the...the...the rebate to a...an individual that was sixty-
31. five or older if that land were held in a land trust?

32. PRESIDENT:

33. Senator Gitz.

1. SENATOR SIMMS:

2. ...you explain that?

3. SENATOR GITZ:

4. Senator Simms, on page 2 of the amendment they would specify
5. in such resolution or ordinance the amount, manner, date, and
6. eligibility requirements of such refund. Now, in the first part
7. of the amendment they have to meet the following conditions; that
8. owner or occupier has to be sixty-five years of age or older, have
9. paid real property taxes on such property, occupied the dwelling
10. on such property for more than six months and did not rent or
11. lease any portions of the dwelling or real property to another
12. person or persons. So, as long as they have met those basic
13. conditions they can specify that. And the reason that is left
14. general, Senator, is because there are local municipalities who
15. want...there are local municipalities who would like to have the
16. discretion to do so. It is totally permissive and they would
17. like to have the manner to specify that. They cannot do that
18. under the existing language in the Statutes. That is why that
19. language is set forth in that manner.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Simms.

22. SENATOR SIMMS:

23. Well, I...I agree with what you're trying to do, but there
24. are many people that do place their...their property in a land
25. trust for whatever reason that it may be, they are the sole owner
26. of it. Would your legislation...would then not allow that person
27. to participate in that program because, for all purposes, they
28. are only the...the beneficial...they only have the beneficial
29. interest in it, whereas the land trust actually has the property.
30. So, am I correct in...in concluding then that someone that had
31. their land, their home in a land trust would not be eligible
32. for the program that that village or city may want to set up?

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Gitz.

1. SENATOR GITZ:

2. Senator Simms, I don't believe that they would be ineligible
3. because of the wording. Any city, village or incorporated town
4. may by resolution or ordinance refund any portion of real property
5. taxes levied by or collected for such city, village or incorporated
6. town on a parcel or tract of real property that is residential
7. property occupied by the owner or owners thereof as their
8. principal dwelling place, the owner of which meets the following
9. requirements. I am not an attorney, but it would seem to me
10. that since they would presumably be living there, that legal
11. trust is something that "they is a creation of them" that they
12. would still come under it. But they would have to be living
13. in that dwelling. I mean, they couldn't go out and buy property,
14. put it into a trust, have someone else living there and then
15. expect to enjoy the benefits of that refund. It doesn't work
16. that way.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator DeAngelis.

19. SENATOR DeANGELIS:

20. Thank you, Mr. President. I rise in support of this bill.
21. It is permissive, as Senator Gitz has indicated and in these
22. times in which we increasingly hear the plea of senior people
23. for entitlements, here is an opportunity for those communities
24. who can and wish to, to give them appropriate relief for their
25. contributions in living in those communities.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? If not, Senator Gitz may close
28. debate.

29. SENATOR GITZ:

30. Well, I'd remind the members of the Body of two things.
31. Number one, home rule municipalities have this same latitude to
32. specify the conditions that we are extending to non-home rule
33. units. Number two, everyone here, I think, is sincerely con-
cerned about what we can do to help senior citizens. No one is

1. saying that every municipality or whomever has to do this, but
2. there are cities and villages who feel that this is something
3. that they could do to help their citizens. I would like to allow
4. them to proceed. I think anything we can do to assist senior
5. citizens to continue to occupy their own dwelling, their own
6. home without constraints, within the specifications of that in
7. ordinance can only be constructive and helpful to us. I also
8. think that it will help small villages that oftentimes have
9. suffered a demise in population to retain that attractiveness,
10. again, at their option. Now, there is nothing in this bill that
11. I think really can be objected to unless it was put in a
12. compulsory basis and clearly none of the amendatory language
13. either relating to audits or this refund is in any way compulsory.
14. So, Senator Walsh, if they...or if they don't want to do it, they
15. don't have to.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. The question is, shall House Bill 1614 pass. Those in favor
18. will vote Aye. Those opposed vote Nay. The voting is open. The
19. voting is open. Have all voted who wish? Have all voted who wish?
20. Vote me Aye, Senator. Have all voted who wish? Take the record.
21. On that question, the Ayes are 35, the Nays are 21. House
22. Bill 1614 having received the constitutional majority is declared
23. passed. House Bill 1620, Senator Schaffer. Read the bill, Mr.
24. Secretary.

25. SECRETARY:

26. House Bill 1620.

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Schaffer.

31. SENATOR SCHAFFER:

32. Mr. Chairman, this is the last of the four IHDA bills, we
33. passed three yesterday. This one simply expands the IHDA authority

1. to expand their financing of new buildings to existing residential
2. structures. You'll recall yesterday, we amended it at Senator
3. Gitz' request to put an amendment on, putting an energy efficiency
4. component on the construction component of the...of IHDA. I don't
5. believe there's any controversy on the bill.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there any discussion? If not, the question is, shall
8. House Bill 1620 pass. Those in favor will vote Aye. Those
9. opposed vote Nay. The voting is open. Have all voted who wish?
10. Have all voted who wish? Take the record. On that question, the
11. Ayes are 43, the Nays are 1, 1 Voting Present. House Bill 1620
12. having received the constitutional majority is declared passed.
13. House Bill 1630, Senator Chew. Read the bill, Mr. Secretary.

14. SECRETARY:

15. House Bill 1630.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Chew.

20. SENATOR CHEW:

21. Mr. President and members of the Senate. House Bill 1630
22. is a safety bill dealing with trucks, truck tractors and busses.
23. One of our major television stations in this State did a series
24. on the lack of safety tires on these vehicles. The Motor Vehicle
25. Laws fashioned this bill with the help of the trucking industry,
26. the Secretary of State, the State Police, the City of Chicago and
27. we are not aware of any organization or individual that is in
28. opposition to the bill, and really what it does, it just mandates
29. that these vehicles must have safe tires on the front axles and
30. we had an amendment in there that removed farm equipment and the
31. amendment also allows these vehicles to have recapped tires be-
32. cause we found that you can easily wear the grooves out of a
33. tire and has a...the tire has a substantial body and recapping is

1. in order and that is considered a safe tire. So, if there are
2. any questions on it, I'd be glad to answer it because I have a
3. printout here of any questions that may be asked.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there any discussion? Senator Coffey.

6. SENATOR COFFEY:

7. Yes, Mr. President and members of the Senate. I would just
8. stand up in favor of this bill and say that Senator Chew has put this
9. bill, I think, in good shape. I'd ask this side of the aisle to
10. support the bill.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Is there further discussion? If not, the question is, shall
13. House Bill 1630 pass. Those in favor will vote Aye. Those opposed
14. vote Nay. The voting is open. Have all voted who wish? Have all
15. voted who wish? Take the record. On that question, the Ayes are
16. 50, the Nays are 1, none Voting Present. House Bill 1630 having
17. received the constitutional majority is declared passed. House
18. Bill 1632, Senator Maitland. Read the bill, Mr. Secretary.

19. SECRETARY:

20. House Bill 1632.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Maitland.

25. SENATOR MAITLAND:

26. Thank you, Mr. President and Ladies and Gentlemen of the
27. Senate. House Bill 1632 is...is a product, really, of the House
28. Judiciary II Committee sponsored by...by Representative Cullerton
29. and Tate and it's another attempt and in their way they feel a...a
30. more constitutional way at getting at...at drug paraphernalia. It
31. addressed itself to...to minors only and in their own way, it
32. defines...it defines drug paraphernalia as being illegal as
33. tobacco accessories.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any discussion? If not, the question is, shall
3. House Bill 1632 pass. Those in favor will vote Aye. Those
4. opposed vote Nay. The voting is open. Have all voted who
5. wish? Have all voted who wish? Take the record. On that
6. question, the Ayes are 53, the Nays are none, none Voting Present.
7. House Bill 1632 having received the constitutional majority is
8. declared passed. House Bill 1789, Senator Newhouse. Oh,
9. it's on recall. House Bill 1812, Senator Davidson. House Bill
10. 1842, Senator Bowers. Read the bill, Mr. Secretary.

11. SECRETARY:

12. House Bill 1842.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Bowers.

17. SENATOR BOWERS:

18. Thank you, Mr. President. House Bill 1842 is a product of
19. the Local Government Finance Commission. You'll recall we
20. created that commission at the request of the Governor last year
21. and this is their "biggie" as far as...as far as their report is
22. concerned. Article VIII, Section 4 of the Constitution provides
23. that the General Assembly shall, by law, provide a uniform
24. system of accounting for local governments. That mandate has
25. never been complied with by the General Assembly. This is an
26. effort to do that. Now, there was some opposition from the...
27. from the municipalities, the Municipal League and their basis
28. of their opposition was that the accounting principles that
29. they operated under or, at least, a lot of municipalities
30. operated under was cash, as...as opposed to accrual and they
31. wanted to stay under that particular provision. This...this
32. particular bill, as it first came out of the House indicated
33. that as far as the annual reports are concerned they would have

1. to go to the accrual basis. Senator Weaver put that amendment on.
2. I explained it to the Body very carefully. Did not take a position
3. on it, but it does eliminate any opposition from the Municipal
4. League. I'll answer any questions, I would ask for a favorable
5. roll call.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Any discussion? Senator Gitz.

8. SENATOR GITZ:

9. Senator Bowers, I...I know that Senator Weaver's amendment
10. took care of a lot of the problems that municipalities had. I
11. was kind of concerned in page 6, that we are repealing some
12. language on municipal financial statements and also on local
13. governments, except schools, who are required after they have
14. compiled their financial reports, to publish those. In fact,
15. quoting from the Municipal Code, I notice in Section 3-10.51
16. upon receipt of such accounts from the municipal treasurer, the
17. municipal clerk shall publish the account, at least once in
18. one or more newspapers published in the municipality, where,
19. if no newspaper is published therein, in one or more newspapers
20. having a general circulation within the municipality. It goes
21. on later to repeal that in another section, as well. Why and
22. what is the need not to publish these statements, since I think
23. in some respects that may be a constructive thing to do, to let
24. the public kind of know what's going on?

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there further discussion? Senate...oh, I'm sorry,
27. Senator Bowers.

28. SENATOR BOWERS:

29. Yes, Senator Gitz, it's a very valid question and I would
30. refer you to the bottom of page 3 of the bill itself, where it
31. says...and...and what we're trying to do is to codify in one
32. general classification the requirements for all municipalities.
33. Now, under this bill, it requires of Section 7 publish a

1. combined summary, statement of revenues and expenders and changes
2. in fund balance for all funds that a newspaper having general
3. circulation in the area served by the unit or district. That's
4. in the new Act, as it's being proposed here. In addition to that,
5. the publication required under Sub-Section A shall also include a
6. notice advising the public of the existence of the audit report,
7. that is the detailed report. Those are the differences between
8. the present publication requirements and those required under
9. this bill.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Senator Gitz.

12. SENATOR GITZ:

13. Okay. When I read at the bottom of page 3, "a copy of the
14. annual report shall be filed with any newspaper having general
15. circulation in the area served by the unit or district or with
16. any radio or television station which has filed a request for
17. notice." Now, are we saying that if they file it with a radio
18. station or a television station, that that's the only requirement
19. or are we saying that they have to publish? I'm a little bit
20. concerned by the use of the word "or" in line 1 at the top
21. of page 4. And if you could clarify that for me, why, that would
22. help me a great deal.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Bowers.

25. SENATOR BOWERS:

26. Well, I think, to summarize without calling attention to
27. any specific language, what we're saying is, that the general...
28. the general wrap-up of the whole thing has to be published,
29. but the item by item expenditures have to be filed with these
30. various newspaper and radio media. Now, as far as specific
31. language is...concerned, the publication language appears in
32. Section 8...Section 8C, where it says "for all...that they must
33. publish a combined summary of statements of revenues and

1. expenditures and changes in fund balance for all funds in a
2. newspaper having general circulation, et cetera, et cetera.
3. In other words, the publication itself that's required is a
4. combined summary of the expenditures and the changes in the
5. fund balance, then the details, that is the...the minutiae
6. has to be...and it's in the long report, has to be filed in
7. addition to that with each newspaper and each radio station
8. and also with the clerk and numerous other people including
9. the comptroller.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Further discussion? Senator Marovitz.

12. SENATOR MAROVITZ:

13. A question of the sponsor?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. He indicates he'll yield.

16. SENATOR MAROVITZ:

17. Senator Bowers, is there anything in this bill regarding
18. public disclosure or the elimination of public disclosure, which
19. presently there...there now is?

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Bowers.

22. SENATOR BOWERS:

23. The present law in...and I'm not...and it's in various
24. sections, there are provisions for some of the governmental
25. units, not incidentally Cook County and Chicago, requires the...
26. the publication of each expenditure, that is each check that's
27. written has to be published. That would no longer be required
28. under this bill. You would have to file all that information
29. with all the newspapers and with all of the radio stations and
30. with the clerk and with the comptroller and so forth, but you
31. don't have to publish. And what you do have to publish are the
32. summaries.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

1. SENATOR MAROVITZ:

2. Is that why the...is that why the press...Illinois Press
3. Association is...is opposed to the bill?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Bowers.

6. SENATOR BOWERS:

7. Very clearly, yes.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Bruce.

10. SENATOR BRUCE:

11. Well, Senator Bowers, the Illinois Municipal League, what
12. is their position as of today? They had had strong opposition
13. to this. Where are they now?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Bowers.

16. SENATOR BOWERS:

17. Well, I have to confess to you, I have not talked to Steve
18. Sargent since Senator Weaver's amendment went on. However, their
19. objection was based upon the fact that many of the municipalities
20. including a lot of them in my own district, Wheaton and Naperville,
21. for instance, did all of their accounting on a cash basis.
22. This bill does not prohibit their doing accounting on a...the
23. bill as it came out of the House did not prohibit their doing
24. accounting on a cash basis, however, it did say that these
25. summaries that we were just referring to here, had to be under
26. general accounting principles and that's generally presumed to
27. be defined as an accrual basis and that's what they objected to.
28. Senator Weaver's amendment took care of that, and as far as I
29. know, eliminated all objections from the Illinois Municipal
30. League.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Bruce.

33. SENATOR BRUCE:

1. All right and...and, but the Illinois Press Association is
2. still opposed to it. All right. I just think that there's a
3. lot of information, particularly in the downstate communities,
4. which we find out through the publication of many of these
5. documents. It's always very interesting to find out whose
6. brother-in-law is on the payroll of all these places as they
7. print out the monthly payroll checks. I think that Senator
8. Bowers has an excellent idea. I don't understand why it does
9. not apply to the City of Chicago or the County of Cook, which
10. was excluded by the original legislation and has never been
11. amended out and I would ask though, from a ruling of the Chair
12. whether or not under Sections 12 and 13 of the Act whether this
13. does not apply to each and every other home rule unit in the State
14. of Illinois and is thereby preemptive.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Yes, Senator...Senator Bowers.

17. SENATOR BOWERS:

18. Before you rule, Mr. Chairman or Mr. President, I would
19. like to say that this...this is in compliance with a Constitutional
20. mandate. The Constitution mandates the General Assembly to do
21. this and the fact that we haven't done it, doesn't eliminate the
22. mandate and it's my understanding that if we're under a
23. Constitutional mandate, that does not fall within the home rule
24. limitation that you have reference to.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Bruce.

27. SENATOR BRUCE:

28. No, it doesn't fall within the Mandates Act that...and...if
29. there's any extra costs because of this, we don't have to bear it.
30. That's the exclusion under the State Mandates Act. Right. Under...
31. and...but, it...it's still preemptive under the Constitution.
32. In fact, your bill states in the wording of it that it is pre-
33. emptive. I'm not talking about the Mandates Act. I just want to

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1. know whether it's going to require thirty-six votes to pass.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Yes, Senator Bruce, the Chair is ready...prepared to rule
4. that it is preemptive, as stated in the bill itself and it will
5. require thirty-six votes to pass. Senator Bowers.

6. SENATOR BOWERS:

7. Well, I'm not going to belabor the subject, but it's my
8. understanding if you want to get into this issue and...on a
9. technical basis, that when we're mandated under the Constitution
10. to do a specific Act, it does not...or it does not fall within
11. the home rule exemption and therefore, does not require thirty-
12. six votes and that's because of the Constitutional mandate on
13. us to do it.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? Is not, Senator Bowers may
16. close debate.

17. SENATOR BOWERS:

18. Well, I hope it's a moot question and I would ask for a
19. favorable roll call.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. The question is, shall House Bill 1842 pass. Those in
22. favor will vote Aye. Those opposed vote Nay. The voting is
23. open. Have all voted who wish? Have all voted who wish? Have
24. all voted who wish? Senator, would you vote me Aye? Take the
25. record. On that question, the Ayes are 31, the Nays are 17, 4
26. Voting Present. House Bill 1842 having failed to receive a
27. constitutional majority is declared lost. We had leave earlier
28. to go back to House Bill 1438 for Senator Rock. Senator Rock.
29. Read the bill, Mr. Secretary.

30.

31.

32.

33.

(END OF REEL)

1. SECRETARY:

2. House Bill 1438.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President, Ladies and Gentlemen of the
9. Senate. House Bill 1438 as amended, will create the Illinois
10. Independent Higher Education Loan Authority. The Authority,
11. after once constituted will sell Revenue Bonds on behalf of
12. participating institutions of higher education. The revenues
13. generated from these bonds shall then be loaned to the institutions,
14. who shall in turn, make loans to their students who qualify
15. for the loan. The program is intended to provide a supplemental
16. source of financial assistance for students and is a direct
17. response by this General Assembly to the...Federal Aid or
18. student loan cutbacks. The bill was recently amended to
19. provide for a two hundred million dollar cap and to take the
20. cap off of the amount that can be borrowed and set up some
21. standards under which the amount can be negotiated. I...I
22. think the bill has been heard before the Higher Education
23. Committee. It was subject to two, rather severe amendments.
24. I know of no existing objection and I would urge a favorable
25. roll call.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there any discussion? If not, the question is shall
28. House Bill 1438 pass. Those in favor will vote Aye. Those
29. opposed vote Nay. The voting is open. Have all voted who
30. wish? Have all voted who wish? Take the record. On that
31. question the Ayes are 51, the Nays are 2, none Voting Present.
32. House Bill 1438, having received the constitutional majority
33. is declared passed. We have gone through the Calendar on

H.B. 108
3rd reading

1. House Bills 3rd reading. When we started this morning at
2. House Bill 302. We'll return now to Page 3 and on the...Order
3. of House Bills 3rd reading, we'll start with House Bill...108.
4. Senator Nedza. Read the bill, Mr. Secretary.

5. SECRETARY:

6. House Bill 108.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Nedza.

11. SENATOR NEDZA:

12. Yes, thank you, Mr. President, Ladies and Gentlemen of
13. the Senate. House Bill 108 is the appropriation bill for House
14. Bill 109, which this Body graciously passed yesterday. The
15. provisions of 108 are allowing an appropriation of some
16. three hundred thousand dollars to defray expenses in order to
17. allow the Nursing Education Assistance Law, which we put into
18. effect yesterday. In order to have these young ladies enter
19. into, or I should say young people, ladies and men, so that
20. they may further a career in nursing. The amount of money
21. which is applicable to each individual is to a maximum of
22. thirty-five hundred dollars, which twenty-five hundred dollars
23. of that would be applicable to tuition and tuition only, and
24. a thousand dollars for the living expenses. The loans are...
25. there is a payback provision and the recipients are...will not
26. be entitled to any loan forgiveness and there is also a...
27. principal of twelve...principal and...interest on the principal
28. of twelve percent while the loan is in effect. If there are
29. any questions, I would gladly answer them, if not, I would
30. ask for your favorable consideration.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there any discussion? If not, the question is shall
33. House Bill 108 pass. Those in favor will vote Aye. Those

1. opposed vote Nay. The voting is open. Have all voted who
2. wish? Have all voted who wish? Take the record. On that
3. question the Ayes are 48, the Nays are 4, none Voting Present.
4. House Bill 108, having received a constitutional majority
5. is declared passed. For what purpose does Senator Chew arise?
6. Senator Chew.

7. SENATOR CHEW:

8. To recommit House Bill 73 back to the Transportation Committee.
9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. You've heard the motion. Is leave granted? Leave is
11. granted. House Bill 73 will be recommitted to the Transportation
12. Committee. Senator Rock.

13. SENATOR ROCK:

14. Thank you, Mr. President. When we conclude with 291,
15. there were two bills for which leave was granted that we will
16. go back to and then we will go to the Order of Recalls. I'd
17. ask the Secretary to...are they starting to distribute these,
18. so everybody's aware of what's coming next? Okay.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. House Bill 112. Senator Nedza. For what purpose does
21. Senator Geo-Karis arise?

22. SENATOR GEO-KARIS:

23. Mr. President, Ladies and Gentlemen of the Senate, on
24. a point of personal privilege.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. State your point.

27. SENATOR GEO-KARIS:

28. I would like...I would like to introduce to this Assembly,
29. the Executive Director of the Battered Wives Crisis Center for
30. Lake County, Tory Flink from Waukegan, Illinois, who is sitting
31. up there and has been attending a seminar here. Would you
32. stand up, Tory? Let's make her welcome.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

34. Please stand and be recognized. Senator Thomas, for what

1. purpose do you arise?

2. SENATOR THOMAS:

3. Thank you, Mr. President. I would just like to have
4. the record show that on House Bill 108 when I came up to
5. vote my key was in the off position. Had it been in the right
6. position, I would have voted Yes on House Bill 108.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. The record will so indicate. Senator Nedza on 112.
9. Read the bill, Mr. Secretary.

10. SECRETARY:

11. House Bill 112.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Nedza.

16. SENATOR NEDZA:

17. Yes, thank you, Mr. President, Ladies and Gentlemen of
18. the Senate. The Calendar is correct in...properly...giving
19. the contents of the bill. This bill was on...it originally
20. started on the Agreed Bill List, it was pulled off the Agreed
21. Bill List for purposes of amendments. It's been on the recall list
22. a half a dozen times. The amendments were not put on, for whatever
23. reason, the parties that wanted to put the amendments on...the
24. ...the original bill was extending the reporting date of the
25. Land Resources Management Study Commission from February 1 to July 13th,
26. 1981. And then it was finally brought back for an amendment
27. to be put on by Senator Berning and the amendment that was
28. put on was recreating the Commission on the Organization of
29. the General Assembly with a...a cutoff date, I believe it
30. was October of 1982, Senator Berning can correct me if I am
31. in error. And that's all the bill does and...any questions,
32. then I'd ask for your favorable consideration.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading
HB 120

1. Is there any discussion? If not, the question is shall
2. House Bill 112 pass. Those...those in favor will vote Aye.
3. Those opposed vote Nay. The voting is open. Have all voted
4. who wish? Have all voted who wish? Take the record. On
5. that question the Ayes are 53, the Nays are none, none Voting
6. Present. House Bill 112, having received the constitutional
7. majority is declared passed. House Bill 120, Senator Netsch.
8. Read the bill, Mr. Secretary.

9. SECRETARY:

10. House Bill 120.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Netsch.

15. SENATOR NETSCH:

16. Thank you, Mr. President. The bill makes one change in
17. the law that provides for the duties of the Attorney General,
18. to require that there be paid into the State Treasury all
19. monies received by him for the use of the State including all
20. fees and...costs recovered by him. I might say that the
21. amendment also took out the immediate effective date. The
22. practice that this refers to is the practice with respect
23. to...those who are hired, in effect, to prepare inheritance
24. tax abstracts. In ninety-eight counties of the State, they
25. are hired or paid directly by the Attorney General and through
26. his appropriation. In four counties...they are paid out of
27. fees and it does not go through the Attorney General's record
28. keeping at all. That makes no sense to have part of the State
29. treated differently from another part of the State. The amounts
30. involved, of course, are very large and they ought to be part
31. of the public record. That is exactly what this bill would
32. do to put all, a hundred and two counties...exactly on the
33. same basis.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? Senator DeAngelis.

3. SENATOR DeANGELIS:

4. Thank you, Mr. President. I strongly oppose this
5. legislation. I don't think anybody in this General Assembly
6. can ever accuse me of being pro-litigation or pro-lawyer.
7. But this bill would make the ability of the Attorney
8. General to hire special assistants almost inoperable.
9. Now, Senator Netsch, if you wish to know who gets what,
10. that can be found out. But under this bill, you're saying
11. that any of those awards or fees for those awards, have
12. to be deposited with the State Treasury and then through
13. the appropriation process, we might, perhaps, give those
14. attorneys the fees for which they contracted for in
15. the first place. And I would submit to you, I don't know
16. of any attorney that would work on that basis, but I will...
17. also tell you that I don't know how it is even possible to
18. work that kind of a system. Now, if you do want to peek
19. at who gets what, I would suggest that you do it some
20. other way, but not at the expense of a process that we
21. badly need.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there further discussion? Senator Sommer.

24. SENATOR SOMMER:

25. Senator Netsch, is it not true that in ninety-eight
26. counties of the State that...that what you're trying to
27. do already is done. For example, in my county of the
28. State, the specials are...are on a salary and they're...they're
29. ...they simply do their work for a...on a salary basis, is that
30. true?

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Netsch.

33. SENATOR NETSCH:

1. Yes, Senator Sommer, that is exactly correct, which I...
2. is why I really had some difficulty understanding Senator
3. DeAngelis' comment. All we are asking is that the four
4. northern counties, if you will, do it exactly the same as
5. ninety-eight other counties do, as Senator Sommer's county
6. does.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Sommer.

9. SENATOR SOMMER:

10. Senator Netsch, do you have any idea of the magnitude of
11. the fees that might be involved if people are taking a
12. contingent cut on something that is done as a salary in
13. most of the State?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Netsch.

16. SENATOR NETSCH:

17. ...The...I have some figures, just for two of the years
18. involved, Senator Sommer. In 1979, the total in fees collected
19. by the...inheritance tax abstracters in the four counties
20. of Cook, DuPage, Lake and McHenry, was one million, six
21. hundred and seventy-seven thousand, four hundred and thirty-five
22. dollars. In 1980 the total was a million, nine hundred and thirty-
23. four thousand, five hundred and seventy-four dollars and I might
24. add that that compares to approximately three hundred thousand
25. dollars that is paid for the same work in the entire rest
26. of the State, all ninety-eight counties.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Sommer.

29. SENATOR SOMMER:

30. Mr. President and members, I...I am in support of this
31. bill as the figures quoted by Senator Netsch are quite telling.
32. Ninety-eight counties of the State, some of which are quite
33. large, only require a...a fee to be paid by the State taxpayer
ultimately of three hundred thousand dollars to do the work.

1. It's over a million and a half dollars in four counties. And
2. I'll leave you to draw your conclusions as to why this exists
3. and those people who defend it, defend it. But it's...it's a
4. wrong thing and the system that exists now is wrong and Senator
5. Netsch's bill is a good one as far as I can see.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator DeAngelis, I'm sorry I cut you off before.

8. SENATOR DeANGELIS:

9. Well, rising for the second time, my name was mentioned
10. in debate. I don't think comparing fees between ninety-eight counties
11. and four other counties is appropriate unless you compare what
12. they collected, as well. But Senator Netsch, the fact is, this...
13. without this bill, the Attorney General can still put people
14. on salary, so that this bill does not, in fact, invalidate
15. anything that's being done right now. But there is a purpose
16. why they are not put in salary. And I think the comparison
17. that was given ought to be done in a little fairer manner.
18. I don't think the fees paid have any relevancy unless you
19. attach it to the amount of monies they collected through
20. those fees as well.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Netsch.

23. SENATOR NETSCH:

24. I would point out, Senator DeAngelis that we're...the
25. people we're talking about are abstracters, they don't really
26. collect the inheritance tax, most of the work is done elsewhere.
27. The people that we are talking about, primarily check math
28. and may check appraisals, but they have very little to do with
29. the basic function of assessing and collecting the tax. So
30. that, I think the...the figures are absolutely sound. Of
31. course there is more inheritance tax collected in those four
32. counties than in any other single group of four counties in
33. the State, that is fairly obvious. But these people have

1. very little, if anything, to do with that, they are primarily
2. math checkers. And...to...the idea that they would end up
3. being paid, not subject to any public scrutiny, a total of
4. just a little under two million dollars in 1980 is something
5. bordering on scandal and the practice ought to be stopped.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Walsh.

8. SENATOR WALSH:

9. Mr. President and members of the Senate. Just to rise
10. briefly in support of...of Senator Netsch's bill. I...I
11. think her last remarks are those that we should probably
12. recall most in...in deliberating on this bill. These people
13. who are appointed as special assistants are primarily
14. math checkers and...and that's just about all they are.
15. There's no reason why special assistants, Attorney General,
16. should be appointed to assist in the revenue collection
17. proceedings in reviewing or examining or abstracting as
18. the technical term is, inheritance tax returns, these
19. people should be on the State payroll. As it is now they
20. are attorneys appointed and the fees for their services
21. are awarded by a judge in whatever circuit of those four
22. counties they happen to serve. It just doesn't make any
23. sense why these people should not be State employees.
24. I urge an Aye vote.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there further discussion? If not, Senator Netsch
27. may close debate.

28. SENATOR NETSCH:

29. I think the points have been made and it's time to
30. put an end to this practice, it's time to make every county
31. of the State function exactly as every other county does
32. and I would urge an Aye vote.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. The question is shall House Bill 120 pass. Those in
2. favor will vote Aye. Those opposed vote Nay. The voting
3. is open. Have all voted who wish? Have all voted who wish?
4. Have all voted who wish? Take the record. On that question
5. the Ayes are 44, the Nays are 7, none Voting Present. House
6. Bill 120, having received the constitutional majority
7. is declared passed. House Bill 142, Senator Berman. Read
8. the bill, Mr. Secretary.

9. SECRETARY:

10. House Bill 142.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Berman.

15. SENATOR BERMAN:

16. Thank you, Mr. President. House Bill 142 is a bill
17. that will bring into the Statutes a decision that was
18. handed down by the Illinois Supreme Court earlier this
19. year. In the case of Alvis versus Rebar the Supreme
20. Court changed the law of negligence in the State of
21. Illinois. Before this case, we followed the rule of
22. contributory negligence, which meant that if a person was
23. involved in a...in an accident and they were at fault at
24. all, they were barred, prevented, from recovering any
25. money. The court, in this decision, has adopted, for
26. Illinois, the theory of comparative negligence. Comparative
27. negligence is a process where the jury would determine how
28. much percentage wise, each party was at fault. And if a
29. person was, let us say, thirty percent negligent, then he
30. would receive seventy percent of what he would otherwise
31. be entitled to. There would be a reduction for that
32. degree of...of negligence for which he was responsible.
33. This bill codifies and puts into law that process of

1. comparative negligence that the Supreme Court has adopted.
2. This bill, as amended, does several other things, beyond
3. what the Supreme Court did. It provides, by the amendment,
4. a safeguard to cities, counties and school districts that
5. they would be exposed to, under the Supreme Court case,
6. but is limited under this bill. And what that provides,
7. is that a city, a county or a school district, would only
8. be liable for that degree of negligence for which they
9. were responsible. And that they would not have to be
10. responsible for the payment of a full judgment if they
11. were...if there was another defendant involved in the case.
12. This is a very substantial benefit for cities, counties and
13. school districts. It also provides in here a process which
14. is very workable, which was not addressed by the Supreme
15. Court regarding the issue of setoffs. That is where one
16. party sues another party and there's different degrees of
17. negligence and different coverages as far as insurance is
18. concerned...between them. The amendment provides for a
19. process of motions before the court. In summary, the bill
20. does what the Supreme Court has already done, but improves
21. upon that in several ways, ways that I think are, number one,
22. fairer, in ways that will reduce the suits and the court backlogs,
23. encourage settlements and give people a fairer compensation under
24. our accident tort system. Be glad to respond to any questions.
25. PRESIDENT:

26. Any discussion? Senator Rupp.
27. SENATOR RUPP:

28. Thank you, Mr. President. I rise in opposition to this
29. bill. I think Senator Berman gave, perhaps, the best reason
30. for voting No. In his remarks, he indicated that the jury
31. would determine the percentage of negligence on your part.
32. Yet there were some inferences also made that it would reduce
33. the backlog of court cases, that, I think, is not likely under

1. such an arrangement. We have the indication that, hopefully,
2. we've heard, insurance premiums will be reduced through
3. faster settlements and less litigation. That too, I think, is
4. a contradiction. And we have one estimate that the imposition
5. of the doctrine of comparative negligence, will cost the
6. insurance buyers of Illinois an additional one hundred and
7. sixty-seven million dollars in premiums in the first year
8. of operation. Perhaps one of the things though that does
9. bother me, is that here it seems that the Legislator, I
10. feel, should be allowed to play the role in determining
11. and implementing basic fundamental doctrinal changes in...in
12. law. This Legislature, that's our job, the job of the judiciary
13. is to interpret. It's not to enact laws, but here we have
14. a condition and a situation where we are responding to what
15. they have done. I think that is not the proper procedure,
16. I think we're the ones who should set the law, they are the
17. ones who should respond to what we lay out. I ask that
18. this vote be a No vote, a solid No vote. I can't see anything
19. but further confusion, a lot of delay, a lot more court action
20. and I do not feel that this is in the basic interest, right
21. at this moment to jump in on this particular change, which
22. is a major change. I ask for a No vote.

23. PRESIDENT:

24. Further discussion? Senator Netsch.

25. SENATOR NETSCH:

26. Thank you, Mr. President. I have a question to direct
27. to the sponsor and let me preface it by saying that I am
28. totally in agreement with the principle of abolishing the
29. old doctrine of contributory negligence and adopting a form
30. of comparative negligence. Now, the thing that I am now
31. confused about, because the bill has been amended a number
32. of times and our brains are all mushy now and that is much too
33. difficult to absorb. Does the bill do more or less than
the court decision did and how so?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Berman.

3. SENATOR BERMAN:

4. The...the bill as amended, I'm not sure if it's more
5. or less, but let me tell you what the bill does. Dawn. Okay.
6. This bill does nothing to the Supreme Court decision regarding
7. the pure form of comparative negligence, that is still the
8. bill. In addition, it improves upon the court decision because
9. it provides a procedure dealing with setoffs. It...the bill
10. provides that there will be no setoffs but that the question
11. of payment of judgments by the parties or their representatives,
12. which is a code name for insurance carriers, can be determined
13. by post trial motions. That's to prevent windfalls, either
14. to uninsured defendants or improper payments by insurance
15. carriers. Thirdly, the bill does...addresses the question of
16. joint and several liability of the cities, counties and municipalities,
17. that wasn't touched at all in the Rebar case. That's what the
18. amendment does and that's what the bill does regarding that
19. decision.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Netsch.

22. SENATOR NETSCH:

23. All right. What...what you are answering me then, as I
24. understand it, Senator Berman, is that in every circumstance
25. where contributory negligence might be a factor in a lawsuit...
26. it is, or I guess what I should do is start the other way
27. around, in every lawsuit where comparative negligence might
28. be relevant, it is, as it is permissible in at least as
29. many cases under the bill, as it would be under the court's
30. decision. ...It's not restricted to any given set of circumstances.
31. Now, does that...is that also true when you have one of the
32. amendments changed, the preceding language to plaintiff or
33. counterplaintiff and eliminated, I'm looking for the exact words...

1. well, eliminated whatever the...the words were. Does...does that
2. have any restrictive effect?

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Berman.

5. SENATOR BERMAN:

6. No, those are clarifying languages that was agreed upon when
7. we met with the defense lawyers and plaintiff lawyers. Those are
8. merely clarifications, nonsubstantive, but we felt that instead of
9. the word claimant, it was better to use plaintiff and counter-
10. plaintiff.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there further discussion? Senator...Senator Netsch, are
13. you...have you finished? Senator Geo-Karis.

14. SENATOR GEO-KARIS:

15. Mr. President and Ladies and Gentlemen of the Senate. I rise
16. to speak in favor of this bill. What many people who are not lawyers
17. do not realize that in a trial for injuries that may have been
18. caused to you by someone rear ending you, you cannot mention the
19. word insurance, you cannot mention the fact that the other party
20. has insurance, nothing like that can come forth in a trial. The
21. other part that I want to call to your attention is this. For too
22. long the contributory negligence figmentation of the mind has been
23. a standard in the courts of this State and, fortunately, the...the
24. Supreme Court of Illinois did, on April 17, 1981, rule that contributory
25. negligence was a judicially created doctrine and could be replaced
26. by the court. The court did exactly that by stating that the
27. comparative negligence...doctrine where people can recover to the
28. extent that their negligence did cause the injury. Unless you've
29. been in some of these cases, involved as a victim yourself, you
30. won't understand the true element of this case. Furthermore, this
31. very case was reaffirmed after a petition for rehearing was presented
32. to the Supreme Court of Illinois and I think this comparative
33. negligence doctrine is a good one. It is in line with the decision

1. of the court and when my...my good and respected colleague on the
2. other side can say that the court has no business interpreting it,
3. remember we have the three Bodies, Legislative, Executive and
4. Judicial. The Judicial branch of government interprets the laws
5. that we pass or do not pass and therefore, I ask for your...favorable
6. consideration.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator Bowers.

9. SENATOR BOWERS:

10. The sponsor yield to a question?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Indicates that he will.

13. SENATOR BOWERS:

14. Senator Berman, I'm not sure I'm following this correctly and...
15. and if I sound stupid, it's because I am. On line 7 and line 16,
16. you've changed the word "claimant" to "plaintiff or counterplaintiff."
17. Now, it seems to some of us that you're, by leaving out the cross
18. claimants and third party claimants, you are, in effect, creating a
19. problem that didn't exist when you use the term claimant and could
20. you address that question?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Berman.

23. SENATOR BERMAN:

24. We adopted the language in...that's used in the Civil Practice
25. Act, as you're aware when you have a claim, you are determined to
26. be the plaintiff, when you have a cross complaint, you are the
27. counterplaintiff and that applies whether you are one, two, three,
28. four or X number in line and your claims and counterplaintiffs. That's
29. why we use that word. It is not intended and I want this on the
30. record, it's not intended to eliminate any type of claim or counter-
31. claim.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Bowers.

1. SENATOR BOWERS:

2. And so the term, as far as you're concerned, counterplaintiff
3. or counterclaimant includes a third party claimant and also a cross
4. claimant.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Berman.

7. SENATOR BERMAN:

8. That's correct.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Bowers.

11. SENATOR BOWERS:

12. Just off the top of my head, if it does include a cross
13. claimant, that is not a counterclaimant under the Practice Act,
14. is it?

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Berman.

17. SENATOR BERMAN:

18. I believe that all the...counterclaims and cross claims, you
19. designate them as counterplaintiffs.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Bowers.

22. SENATOR BOWERS:

23. I have a fear. I was trying to read this when you were talking
24. to Senator Netsch and I have a fear I'm repeating her problem, but
25. now, my second problem had to do with...with the municipalities and
26. would you mind, quickly running through that again, why we're treat-
27. in them somewhat differently.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Berman.

30. SENATOR BERMAN:

31. Yes, municipalities and county governments have contacted me
32. regarding their concerns for lawsuits in which they will be brought
33. in as target defendants under comparative negligence. They are

1. concerned that with the joint and severale liability exposure,
2. that is maintained both under the Supreme Court decision and under
3. this bill, that they could wind up being a target defendant having
4. to pick up a hundred percent of the costs of a judgment when they,
5. in fact, were only two percent, five percent, ten percent liable
6. to that plaintiff. What we have done by this amendment, is to
7. build in a protection so that those municipal governments, counties
8. and municipalities and school districts would only be liable to the
9. plaintiff to the extent of the...their percentage of negligence.
10. Now, what that will do, is gives them a safeguard. It gives them
11. an exception to the joint and severale liability situation.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Bowers.

14. SENATOR BOWERS:

15. I'm sorry to belabor it, but why is that any different than
16. A.T. & T. or...it seems to me it would be much more likely that
17. General Motors or A.T. & T. or some big corporation would get
18. nailed the same way, rather than a municipality. Why...why would
19. they be any more vulnerable?

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Berman.

22. SENATOR BERMAN:

23. Well, for example, the point that was raised to me is that
24. county governments, for example, or township governments, they
25. maintain roads and that every defendant in a simple accident case
26. could say that before the accident happened they went over a bump
27. in the road and that would cause the plaintiff to include the
28. township or the county as a defendant. We have recognized their
29. distinction in the Tort Immunity Act and given them a separate
30. classification because they are governments. They are funded by
31. tax dollars and that same distinction is preserved in this amend-
32. ment to give them a unique privilege and protection and...in these
33. types of suits.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Jeremiah Joyce.

3. SENATOR JEREMIAH JOYCE:

4. Well, let's see, where do I want to start with this. Would
5. you...or...you've really got me confused now, with this governmental
6. tort immunity...get...would you give me a hypothetical that...where...
7. where this would apply? And would you try to structure a hypotheti-
8. cal in such a way so that the...if I was representing the injured
9. plaintiff I would be upset with you and if you were representing
10. the municipality defendant...you know what I'm saying?

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Berman.

13. SENATOR BERMAN:

14. Yes, I'll give you the case. You represent a plaintiff who
15. is crossing the street on her way to church on Sunday morning and
16. she is struck by a car and that is defendant A and you sue defendant
17. A. You find out through your investigation that defendant A says
18. that right before he struck your client, defendant A hit a large
19. hole in the street. Now, you sue the County of Cook because it
20. happened to be a County of Cook highway that the defendant A was
21. traveling on. The case is heard and the jury determines that your
22. lady was crossing against the light on her way to church and
23. determines that defendant A, the driver of the car is eighty
24. percent negligent, that your lady is eighteen percent negligent and
25. the County of Cook is two percent negligent and they enter a judgment
26. for your lady because of the injuries of a hundred thousand dollars.
27. Now, under the comparative negligence doctrine she would be able to
28. collect eighty-two percent of a hundred thousand dollars. All right?
29. That's eighty-two thousand dollars because defendant A is a unemploy-
30. ed, uninsured driver, he doesn't have a buck, but there's an eighty-
31. two thousand dollar judgment that can be collected from one of the
32. two defendants...from any of the defendants under joint and severale
33. liability. What this amendment says, is that the county is only

1. liable up to the extent of two percent, namely, two thousand
2. dollars and that your lady would have to chase the other
3. defendant A, for that difference and that the county will not
4. be...obligated to pay more than their degree of negligence, which
5. was two percent.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Joyce.

8. SENATOR JEREMIAH JOYCE:

9. Well, here we go again and I haven't looked at this stuff
10. in a long, long time and I don't want to belabor to the rest of
11. the Body, but you seem to me to be doing away with the old
12. doctrine of no contribution among joint tort-feasors.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Berman.

15. SENATOR BERMAN:

16. No. If the...let us say, that...that they collect...I have
17. to change the facts to make it practical, but let us say, that
18. the county and the driver are fifty-fifty responsible and your
19. lady isn't...has no negligence. All right? And they collect the
20. full judgment against the county. The county does have the right,
21. both under this bill and under existing law, to sue the other...to
22. sue the driver for their portion, his portion of the...of his
23. obligation. That is the Contribution Statute, that is not
24. affected by this.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Jeremiah Joyce.

27. SENATOR JEREMIAH JOYCE:

28. Well, you know, I...I don't want to start...I don't want to
29. start another of what we just went through with Adeline's bill, so
30. I'll...I'll let it rest, other than to say that, you know, I don't
31. think the thing is fair, I think it...it's going be a...put an
32. undue hardship and burden on the poor little schmo out there and
33. let the municipalities and...and other government entities that

1. you named off the hook and I don't think that's fair.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Rupp for the second time.

4. SENATOR RUPP:

5. Thank you, Mr. President. That was basically my question.

6. I don't see why the municipalities or the school districts should
7. be given any preferential treatment, say, over you or I and I...
8. question about the equal protection under the law in that particular
9. case. I didn't particularly want to get involved in a...another
10. big round like on House Bill 1006, but one of the questions I
11. would like to ask the sponsor is, if in the situation he gave, I
12. were the individual crossing the street and I'm supposed to
13. collect eighty-two thousand dollars, if under my own policy I
14. had purchased. I had purchased under my own policy uninsured
15. motorist to the amount of one hundred thousand dollars, do I
16. still only get eighty-two thousand?

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Berman.

19. SENATOR BERMAN:

20. Yes. And let me point out that under the present law, you'd
21. collect zero. I mean without this...without comparative negligence
22. you'd collect zero because contributory negligence would bar you
23. from collecting anything. Under this bill you'd, at least, collect
24. eighty-two thousand.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Rupp.

27. SENATOR RUPP:

28. Thank you, Mr. President. Under the case you gave, it was an
29. uninsured motorist case and so I have one hundred thousand dollars
30. for an uninsured motorist. If I do not collect it from the one who
31. did the damage, I turn to my own company and go under my policy.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Berman.

1. SENATOR BERMAN:

2. If you listened to the example, I said she was crossing the
3. street and the...and the jury determined she was eighteen percent
4. negligent. Under existing law before comparative negligence, that
5. little old lady on the way to church would collect zero dollars,
6. under any policy. Zero, because she was contributorily negligent.
7. This bill is fair because she could, at least, collect that portion
8. that she was not negligent for, namely, eighty-two thousand. That's
9. the exact difference between what you're talking about. Uninsured
10. motorist does not pay you if you are negligent. Under this, they
11. will pay you only for what you were not negligent for. You will
12. collect something. That little old lady on the way to church will
13. collect eighty-two thousand dollars under comparative negligence,
14. wouldn't collect a nickel under contributory negligence.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Rupp.

17. SENATOR RUPP:

18. Thank you and I'll just ask one more question. I...that's not
19. quite accurately what I believe would be so, but what would happen
20. to my ten thousand limit under medical payments?

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Berman.

23. SENATOR BERMAN:

24. Nothing. You can collect it the same way with this law or
25. without the law. It has no effect on it.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Rupp, we're...we're...

28. SENATOR RUPP:

29. That is my point about the uninsured motorist who has separate
30. coverage that I buy, I also buy collision insurance, I could collect
31. that separately, too, under this present system. I ask for a No
32. vote.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Marovitz.

1. SENATOR MAROVITZ:

2. Thank you, Mr. President and Ladies and Gentlemen. A question
3. of the sponsor. I may have misunderstood something during the
4. debate between you and Senator Joyce and I want to clarify it
5. because there was an impression created. Under your same example
6. of this nice, little old lady crossing the street to go to Shoal,
7. if...if the car was eighty percent negligent and she was eighteen
8. percent and if an individual, another individual was two percent
9. negligent, if that eightypercent individual was uninsured, he was
10. a delinquent and he was gone, could...could that little old lady
11. then collect the full eighty-two thousand dollars from the two
12. percent individual?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Berman.

15. SENATOR BERMAN:

16. Yes.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Marovitz.

19. SENATOR MAROVITZ:

20. Well, if...if that's the case, then it...it seems to me, to be
21. a...a gross injustice. I have to be honest, if you've got somebody
22. who's two percent negligence under that example and they are going
23. to be libeled for eighty-two percent of the bill for a minutiae of
24. negligence. It seems to me and correct me if I'm wrong, because
25. maybe I'm interpreting it...it incorrectly, but it seems to me
26. that we really have a problem here.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Berman.

29. SENATOR BERMAN:

30. We don't have a problem, we have the law and the law says,
31. that if you are a...a defendant in a lawsuit and you are negligent,
32. period, and you are one of several defendants, the law of joint
33. and severale liability applies and the plaintiff can collect the

1. entire judgment, the entire judgment against any of the defendants.
2. The right of contribution among joint tort-feasors comes into play
3. where the...the defendants can set off and try to...collect between
4. themselves for the differences in their...obligation, but joint
5. and severale liability is the law. It always has been and it
6. still is, that's why the two percent guy has an exposure for that
7. whole judgment.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Marovitz.

10. SENATOR MAROVITZ:

11. Correct me, if I'm wrong. Under today's law that little old
12. lady who was eighteen percent negligence would...would not collect
13. and therefore, that two percent individual would not be liable.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Berman. Gentlemen and Ladies, we have to proceed, we
16. have a schedule to fill. Go ahead, Senator Berman, I'm going to have
17. to cut the debate.

18. SENATOR BERMAN:

19. Okay, you're example is correct, but the Supreme Court has
20. changed the law.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Jeremiah Joyce, for the second time and last.

23. SENATOR JEREMIAH JOYCE:

24. Yeah, I...and I apologize, but let me say this. What the
25. Supreme Court did, I agree with, fine, I have no problem. I have
26. a problem with what was included with respect to municipalities and
27. school districts, I think...we're pushing something through here
28. that we are not sufficiently knowledgeable about at this point.
29. I just think we're making a bad, bad mistake if we vote this thing
30. out of here this way.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Walsh.

33. SENATOR WALSH:

1. Mr. President and members of the Senate. As...as one who
2. favors the concept and theory of comparative negligence, I've...
3. I'm in favor of legislation of this nature, however, for the
4. reasons indicated by Senator Marovitz and Senator Joyce, I think
5. we're...we're...be making a big mistake in voting Aye because the
6. Supreme Court may not have intended to...to go as far as they
7. went. They certainly...they certainly make mistakes, those of
8. us here in the Senate are fully aware of that. In...if we do
9. pass this...this legislation and it is signed into law, then it
10. would take action on our part to correct it and we just...we may
11. be...we may be fixing some vested interests that we'd prefer not
12. to fix, so we're making some tremendous errors that we'd rather
13. not make and for that reason, I think we should keep this bill
14. under consideration and, ultimately pass a Comparative Negligence
15. Act, which would implement fully the Supreme Court opinion and
16. for that reason, I'm going to vote No.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator, I have an...recent opinion from the Supreme Court
19. if you wish to read it, when you have a little time. Senator
20. Berman may close.

21. SENATOR BERMAN:

22. I do not deny that this new concept that the Supreme Court
23. has adopted raises many questions. What I do suggest to you, is
24. that the concept is a fairer one, it does not eliminate as the
25. existing...as the previous contributory negligence law did. It
26. does not bar a person from collecting anything because of a small
27. degree of contributory negligence. What that means in plain language
28. is, is that with comparative negligence you will collect your
29. damages less the degree of...of negligence that you were responsible
30. for. It will encourage the settlement of claims so that more
31. people will collect less money. Now, let me tell you why I say
32. that and why in the handout I gave you, I talked about a reduction
33. in court cases and a reduction in court backlogs. Right now, if

1. you have a serious injury, a serious injury, the only option that
2. that plaintiff has is to file suit, hang in there and hope that
3. the jury rules in their favor. That's because you...you're shooting
4. against odds that the jury will not find you contributorily
5. negligent. With the abolition of contributory negligence, it's
6. a comparative basis and you can argue and negotiate with an insurance
7. company, as to whether you are ten percent...negligent or fifteen
8. or twenty, but you're going to collect money and that means that
9. you're going to cut the backlogs, you're going to cut the jury
10. trials, you'll cut the insurance premiums because that's what
11. builds up those costs. Now, let me tell you, you've all been
12. contacted by the insurance industry, you ask yourself, if this
13. isn't fairer to claimants, why is the industry so upset with this
14. bill. I suggest to you that this bill is an improvement on the
15. Supreme Court decision. It embodies a very fair system of
16. comparative negligence. It safeguards our tax dollars through
17. protection to the counties, the cities and the school districts.
18. I urge an Aye vote.

19. PRESIDENT:

20. The question is, shall House Bill 142 pass. Those in favor
21. will vote Aye. Those opposed will vote Nay. The voting is open.
22. Have all voted who wish? Have all voted who wish? Have all voted
23. who wish? Take the record. On that question, the Ayes are 11,
24. the Nays are 32, 7 Voting Present. House Bill 142 having failed
25. to receive the required constitutional majority is declared lost.
26. 215, Senator Degnan. On the Order of House Bills, 3rd reading,
27. House Bill 215. Read the bill, Mr. Secretary, please.

28. SECRETARY:

29. House Bill 215.
30. (Secretary reads title of bill)
31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Degnan.

1. SENATOR DEGNAN:

2. Thank you, Mr. President. House Bill 215 allows the Board
3. of the Chicago Municipal Employees Pension Fund to lend securities
4. owned by the fund to a borrower upon such terms and conditions
5. as may be mutually agreed upon in writing. This bill is approved
6. for passage by the Illinois Pension Laws Commission. It places in
7. jeopardy no employee's money. If there are no questions, I would
8. move for a favorable roll call.

9. PRESIDENT:

10. Any discussion? Is there any discussion? If not, the question
11. is, shall House Bill 215 pass. Those in favor will vote Aye. Those
12. opposed will vote Nay. The voting is open. Have all voted who
13. wish? Have all voted who wish? Have all voted who wish? Take the
14. record. On that question, the Ayes are 50, the Nays are none, none
15. Voting Present. House Bill 215 having received the required
16. constitutional majority is declared passed. 291 is on the recall
17. list. We will now go...there were two bills, one was taken out
18. of the record at the request of some of the membership, 933 and 991.
19. We were given leave to go back to...that order. Middle of page 7,
20. on the Order of House Bills, 3rd reading is House Bill 933. Read
21. the bill, Mr. Secretary.

22. SECRETARY:

23. House Bill 933.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Egan.

28. SENATOR EGAN:

29. Thank you, Mr. President and members of the Senate. The
30. original bill...I think the confusion now has been cleared up, but
31. the original bill took out of the Act regarding downstate park
32. districts, the referenda for streets and lights and the police
33. force and replaced therewith by amendment, a backdoor referendum,

1. which, in effect, equalize for the backdoor referendum as for all
2. park districts, not just park districts created before 1963 and
3. 1973 with respect to lighting and maintaining roads and with
4. respect to organizing police...police forces. And now, the back-
5. door referendum would be required for all park districts, as there
6. was none prior to the bill and the amendment and it will replace
7. the...the front door referendum on...on those park districts created
8. after 1963 in respect...with respect to the lighting and maintaining
9. of roads and with respect to the creation of the police force. The
10. list I have is that there were eighty-two park districts created
11. after 1963, eleven created after 1973, eighteen have full-time
12. police protection and forty-two park districts provide part-time
13. police protection. The...this...this increase is vitally necessary
14. to the parks. The Illinois Association of Park Districts violently
15. ...urgently need it and I seek your favorable consideration.

16. PRESIDENT:

17. Any discussion? Senator Simms.

18. SENATOR SIMMS:

19. Well, Mr. President and Ladies and Gentlemen of the Senate.
20. I rise in opposition to this bill, as I did when it was earlier
21. discussed, for the simple reason, again, we're going back to the
22. premise of the backdoor referenda where people are not that so-
23. phisticated, are not that knowledgeable how to protest backdoor
24. referenda. This...at the present time park districts have the...
25. the right to go to a front door referenda, present their case to
26. the electorate. I think the thing that's perhaps...is the most disturb-
27. ing about the principle of allowing park districts or some of the
28. other units of government the privilege of the backdoor referendum,
29. which in my opinion is not a privilege, it's an imposition on the
30. taxpayer. Park districts and other type of districts have very
31. little press coverage in most places in downstate Illinois, as to
32. the activities of an individual park district. It's very easy to
33. conceive how a park district can impose these new taxes without

1. referenda and not having a great deal of publicity or that matter
2. any publicity at all that imposes new taxation without the right
3. of direct referendum. I think this Legislature would ill-serve
4. the people by passing this bill by taking the right of direct
5. referenda away and changing it to a backdoor referenda, where,
6. frankly, people are not that knowledgeable nor do they know the
7. legal technique necessary in order to impose a backdoor referenda
8. provisions and for this reason in order to preserve the...the
9. rights of the taxpayers of our State, I would urge that House
10. Bill 933 be defeated and if the park districts need this money
11. and they very well may need these necessary programs, let them
12. take their case to the voters, one on one, be up front about it,
13. put the issue on the ballot, present their case as other...individual
14. taxing bodies do, present their case to the voter and not try to
15. go around the backdoor and circumvent without the public knowledge.
16. I urge a No vote.

17. PRESIDENT:

18. Further discussion? Senator Geo-Karis.

19. SENATOR GEO-KARIS:

20. Mr...and Ladies and Gentlemen of the Senate. Prior to 1963
21. the park districts created prior to 1963, if they wanted to raise
22. their rates, they'd have to file a petition and have a referendum.
23. The ones created after 1963 under Illinois law, if my understanding
24. is correct, we can do it without any referendum whatsoever. So,
25. actually this bill is a good bill. It's a fairer bill because by
26. having the backdoor referendum in it, it applies to all park districts
27. created before 1963 and those after. So, why should we let the
28. park districts that were created after 1963 get by, Scot free, by
29. raising their rates without having any referendum under the present
30. law, while this bill will...provide a backdoor referendum, at least,
31. and make it more equitable for all the park districts. I urge
32. favorable consideration because I think this is fairer. They're
33. letting some park districts go ahead and raise their rates without

1. any need of a referendum under the Statute at the present time and
2. the others have to have a referendum.

3. PRESIDENT:

4. Further discussion? Senator Becker. Senator DeAngelis.

5. SENATOR DeANGELIS:

6. Mr. President, as a possible conflict of interest I received
7. a call this week that my wife was appointed to a park district
8. board, I'm going to...vote No to show my disapproval of that
9. appointment and also the exercising of poor judgment on the part
10. of our local park district.

11. PRESIDENT:

12. Any further discussion? We're going to send a transcript of
13. that one home, I want you to know that. Senator Egan may close
14. the debate.

15. SENATOR EGAN:

16. Well, thank you, Mr. President and members of the Senate.
17. Just so...finally, there is no final confusion in the matter,
18. those park districts created after 1963 with respect to lighting
19. and streets do not have any referendum. Those park districts
20. created after 1973 with respect to the creation of police forces,
21. now, don't have the need for any referendum. What we're saying is,
22. that they will need a backdoor referendum and all park districts
23. can do likewise with respect to these two important functions and
24. I ask for your favorable consideration.

25. PRESIDENT:

26. The question is, shall House Bill 933 pass. Those in favor
27. will vote Aye. Those opposed will vote Nay. The voting is open.
28. Have all voted who wish? Have all voted who wish? Have all voted
29. who wish? Take the record. On that question, the Ayes are 27,
30. the Nays are 25, none Voting Present. House Bill 933 having failed to
31. receive the required constitutional majority is declared lost. 991,
32. Senator Degnan. On the Order of House Bills, 3rd reading, the top
33. of page 8, Senator Degnan was earlier given leave to return to House
Bill 991. Read the bill, Mr. Secretary, please.

1. SECRETARY:

2. House Bill 991.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Degnan.

7. SENATOR DEGNAN:

8. Thank you, Mr. President. House Bill 991 is resurrected
9. Senate Bill 305, which allows across the board ten percent re-
10. duction in the taxable value of real estate from thirty-three and
11. a third percent of market value to thirty percent. It's exactly
12. as suggested in your Calendar. There's been much debate in
13. committee and on this Floor. On May 20th, we sent to the House
14. this bill and it was defeated in committee. I'll answer any
15. questions, if none, would urge a favorable roll call.

16. PRESIDENT:

17. Any discussion? Senator McMillan.

18. SENATOR McMILLAN:

19. Mr. President and members of the Senate. I do rise in
20. opposition to House Bill 991, as amended. I...it's my under-
21. standing that there is move afoot, hopefully, to get this thing
22. to the...to the point where it can be amended later somewhere,
23. perhaps to provide some real estate tax relief. But, at this
24. stage of the game, very...very honestly, I think any of us
25. should be very leery of what might come. I think before any-
26. body puts a vote on this particular bill, they real...need to
27. realize what might happen if this bill passes 'cause if this
28. bill passes, what we would be talking about would be reducing
29. the assessment level to thirty percent, which...which, looking
30. at anybody's real estate tax bill, of course, that looks like
31. it would be an improvement. But, this bill, as drafted does
32. come under the State Mandates Act, which means we'd have to
33. cough up about five hundred million dollars out of the State

1. budget. That probably means we'd have to increase the sales tax
2. by two cents or three cents or four cents and the point is, even
3. though I know the sponsor is...is absolutely straightforward in
4. indicating that they want to come up with some relief,...I think
5. because I have no idea what might be coming. We might get into
6. the position where this is the bill that would be passed. I
7. think it's something that we simply can't take the risk of doing.
8. I know others feel otherwise, but...but as for me, I believe at
9. this point when many schools are going to be losing a substantial
10. amount of State aid next year under the State Aid Formula, you
11. need to think about what that does to them when their school
12. districts may not be able to make up the difference. It causes
13. a lot of problems, which I think we haven't thought about that
14. thoroughly and respectfully would request a No vote.

15. PRESIDENT:

16. Further discussion? Senator Joyce. Jerome.

17. SENATOR JEROME JOYCE:

18. Yes, would the sponsor yield...

19. PRESIDENT:

20. He indicates he'll yield for a question, Senator Joyce.

21. SENATOR JEROME JOYCE:

22. ...yes, Senator Degnan, since House Bill 69 failed to pass
23. yesterday, you know, I voted for this the first time and...and
24. how are we going to, in those school districts make up this
25. money that, you know, we're not only going to have to pay back...
26. but that we're going to lose when we lower the assessment...or
27. the...the rate. It just seems to me that this is a...something
28. that now we cannot vote for.

29. PRESIDENT:

30. Senator Degnan.

31. SENATOR DEGNAN:

32. Senator Joyce, House Bill 69 would have resulted in a rate
33. increase for electricity in Chicago. This bill is the only bill

1. available in this General Assembly at this point allowing the
2. citizens of this State any tax relief.

3. PRESIDENT:

4. Senator Joyce.

5. SENATOR JEROME JOYCE:

6. Yes, I...I see the Tribune today, what is it 16.1, no, 15.2
7. percent Commonwealth-Edison for a rate increase.

8. PRESIDENT:

9. Further discussion? Senator Simms.

10. SENATOR SIMMS:

11. Well, Mr. President and Ladies and Gentlemen of the Senate.
12. I think the remarks by Senator McMillan are...are...should be
13. taken very carefully into consideration. Every time that the
14. Legislature starts changing with the assessed valuation, we
15. run into some very serious School Aid Formula problems, but
16. secondly, I think it only addresses just part of the problem.
17. As soon as you draw up the assessed...the assessed valuation rate,
18. automatically home rule units, all they have to do is increase
19. their rate of taxation and...and nothing really has been...
20. salvaged or solved, there's been really no tax relief. That's
21. really, to a certain degree, not being honest with the people
22. because you tend to indicate to them that...their property tax
23. valuation is going down, but at the same time the units of
24. government just increase their rate or their levy. So, it's
25. not really being accurate and to a certain extent, it's somewhat
26. being deceiving to the people and I think Senator McMillan was
27. right on target with this. This...this bill without the type
28. of study behind it and the...other things that may come about,
29. I think it's a dangerous precedent for us to get into. For a
30. long time different parts of the State were assessed differently
31. and finally after about five or six years, everybody is somewhat
32. close together. And my concern is, that this is just going to
33. start the trend all over again, the same situation that Governor

1. Walker created when he froze the multipliers.

2. PRESIDENT:

3. Senator Joyce.

4. SENATOR JEREMIAH JOYCE:

5. Thank you, Mr. President. Two points: number one, it
6. seems to me that this is what we are trying to do, we are
7. trying to focus responsibility...fiscal responsibility at the
8. local level by reducing the assessed valuation, the burden is
9. then upon the local official to go to the public and tell them
10. I either want...need a...a rate increase and two, I can justify
11. that because we are providing services. If he can't do that, he
12. shouldn't be able to get his rate increase, so he should suffer
13. at the polls. More importantly, is the question I think that
14. Senator McMillan has raised with respect to the applicability
15. of the State's Mandate...Mandates Act, and that simply is not
16. the case, it does not apply here. Senator McMillan is in error.
17. I don't know what his basis is. I think I...I know the language
18. that he's referring to in the Mandates Act, but it simply is not
19. the case. It does not apply here, Senator McMillan.

20. PRESIDENT:

21. Further discussion? Senator Berman.

22. SENATOR BERMAN:

23. Thank you, Mr. President. I rise in support of this bill.
24. One of the effects I think that we'll have if...if we pass this
25. bill, is to limit the inflationary trend that the...equalization
26. factor has had because we're going to be dealing with a lower
27. level of assessment than we've had before and all of us, especially
28. in Cook, I'm not familiar...with the impacts of the equalization
29. factor in other counties has been, but we...we get the factor of
30. 1.4, 1.5, 1.6. Our tax bills are jumped forty, fifty, sixty
31. percent because of that. I think this bill will have a decreasing
32. effect as far as that element is concerned. I urge an Aye vote.

33. PRESIDENT:

Further discussion? Senator Degnan may close.

1. SENATOR DEGNAN:

2. Thank you, Mr. President. I've sat here for six months,
3. I've seen some good bills, some bad bills, some bills that do
4. nothing. I think this is the only bill that provides any tax
5. relief that I've seen pass out, up until now. I'd appreciate
6. a favorable roll call.

7. PRESIDENT:

8. The question is, shall House Bill 991 pass. Those in favor
9. will vote Aye. Those opposed will vote Nay. The voting is open.
10. Have all voted who wish? Have all voted who wish? Have all voted
11. who wish? Take the record. On that question, the Ayes are 41,
12. the Nays are 11, 3 Voting Present. House Bill 991 having
13. received the required constitutional majority is declared passed.
14. Also, not on the recall list with leave to come back is 805. Are
15. you ready Senator Davidson? On the Order of House Bills, 3rd
16. reading, the bottom of page 6, is House Bill 805. Read the bill,
17. Mr. Secretary.

18. SECRETARY:

19. House Bill 805.
20. (Secretary reads title of bill)
21. 3rd reading of the bill.

22. PRESIDENT:

23. Senator Davidson.

24. SENATOR DAVIDSON:

25. Mr. President and members of the Senate. This is the annual
26. appropriation of the Secretary of State. It's a hundred and thirty-
27. three million plus dollars. I appreciate a favorable roll call.

28. PRESIDENT:

29. Any discussion? The question is, shall House Bill 805 pass.
30. Those in favor will vote Aye. Those opposed will vote Nay. The
31. voting is open. Have all voted who wish? Have all voted who wish?
32. Have all voted who wish? Take the record. On that question, the
33. Ayes are 52, the Nays are none, none Voting Present. House Bill
805 having received the required constitutional majority is

1. declared passed. All right. Everyone has, I hope, a recall list.
2. We will start at the top. The sponsors and the amendment sponsors
3. will please be ready. We will start at the top and proceed, hope-
4. fully, with some dispatch. On the Order of House Bills, 3rd
5. reading, in the middle of page 3, is House Bill 291. Senator
6. Marovitz seeks leave of the Body to return that bill to the
7. Order of 2nd reading for purposes of an amendment. Is leave
8. granted? Leave is granted. On the Order of House Bills, 2nd
9. reading, House Bill 291. Mr. Secretary.

10. SECRETARY:

11. Amendment No. 8 offered by Senator D'Arco. I'm sorry,
12. Amendment No. 9, Mr. President.

13. PRESIDENT:

14. Amendment No. 9. Senator D'Arco.

15. SENATOR D'ARCO:

16. Thank you, Mr. President. There was some concern yesterday
17. about the six additional years of service credit, the time that
18. would become available to a person in our system who retires and
19. then seeks subsequent employment in another pension system and
20. we reduced it to four years to make it more consistent and I would
21. move to adopt Amendment No. 9 to House Bill 291.

22. PRESIDENT:

23. Senator D'Arco has moved the adoption of Amendment No. 9 to
24. House Bill 291. Any discussion? If not, all in favor signify
25. by saying Aye. All opposed? The Ayes have it. The amendment is
26. adopted. Pardon me? A roll call has been requested. The question
27. is the adoption of Amendment No. 9 to House Bill 291. Those in
28. favor will vote Aye. Those opposed will vote Nay. The voting is
29. open.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Have all voted who wish? Have all voted who wish? Take the
32. record. On that question, the Ayes are 30, the Nays are 19, 2
33. Voting Present. . . Amendment No. 9 to House Bill 291 is adopted.

*H.P. 291
Recalled
6-26-81*

1. Further amendments?

2. SECRETARY:

3. Amendment No. 10 by Senator D'Arco.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator D'Arco is recognized.

6. SENATOR D'ARCO:

7. Thank you, Mr. President. Amendment No. 10 reduces the
8. cap from eighty-five to eighty-four percent that we attempted
9. to put on yesterday and not having done that, Amendment No. 4
10. raises it to eighty-four percent and I would move to adopt
11. Amendment No. 10, strike that, Amendment No. 10 to House Bill 291.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The motion is to adopt Amendment No. 10. Discussion?
14. Senator Berning.

15. SENATOR BERNING:

16. Did I understand the number?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator...Senator D'Arco.

19. SENATOR D'ARCO:

20. This is 10, Amendment No. 10.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator D'Arco.

23. SENATOR D'ARCO:

24. No, it's...it's eighty-four percent.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? The question is on the adoption of
27. Amendment No. 10. There's been a request for a roll call. Those
28. in favor...Senator Buzbee.

29. SENATOR BUZBEE:

30. Well...well, wait just a minute. We, in fact, are trying
31. to do today, what we did not do yesterday or what we...what
32. yesterday we said we...we defeated it. We're now trying to
33. raise the legislative pensions, again. Right? Okay. Well, I

1. think everybody ought to understand that. We're trying to raise
2. the legislative pensions. We went through this whole ball game
3. yesterday and we defeated it overwhelmingly. So, I...we...we've
4. got to understand what we're doing here. I didn't understand what
5. I was doing on the last one. But, I do understand what I'm going
6. to do on this one, I'm going to vote No.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? Senator Gitz. I'm...

9. SENATOR GITZ:

10. I have a question of the sponsor. I have a question of the
11. sponsor, Mr. President.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. He indicates he will yield.

14. SENATOR GITZ:

15. The description of this...

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator D'Arco, Senator Gitz is asking...may we have some
18. order, please. Senator Gitz.

19. SENATOR GITZ:

20. Senator, I didn't rise to make any speeches, I just simply
21. want to know what we're voting on, and then, at least, if we're
22. in trouble, we know why. Now, the initial description was about
23. removing and adding to caps. What pension systems are we talking
24. about in Amendment No. 10 and what specifically, are we doing
25. to those pension systems in Amendment No. 10?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator D'Arco.

28. SENATOR D'ARCO:

29. Well, we're talking about the General Assembly Pension
30. System and what we're doing is raising the cap from eighty to
31. eighty-four percent. No, eighty-four percent.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Gitz.

1. SENATOR GITZ:

2. Is this the same amendment that was before us yesterday?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator D'Arco.

5. SENATOR D'ARCO:

6. No, it's a different amendment.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Gitz.

9. SENATOR GITZ:

10. Then what is the difference between this amendment and the
11. one were on before?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator D'Arco.

14. SENATOR D'ARCO:

15. You didn't get up yesterday and speak on it and this one
16. you did. No, the difference is one percent.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Further discussion? The question is
19. on the adoption of Amendment No. 10 to House Bill 291. Those
20. in favor will vote Aye. Those opposed will vote Nay. The
21. voting is open. Have all voted who wish? Have all voted who
22. wish? Take the record. On that question, the Ayes are 27,
23. the Nays are 27. Amendment No. 10 to House Bill 291...Senator
24. Rock.

25. SENATOR ROCK:

26. Thank you. I...I think some didn't...didn't read the
27. amendment. It does, in fact, call for a percent and a half
28. increase in the contribution of the participant. I would ask
29. to verify the negative roll call.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. There's been a request for a verification of those who
32. voted in the negative. Secretary will call those who voted in
33. the negative.

1. SECRETARY:

2. The following voted in the negative: Berning, Bloom,
3. Bowers, Buzbee, Coffey, Collins, Davidson, DeAngelis, Etheredge,
4. Friedland, Gitz, Grotberg, Jerome Joyce, Keats, Kent, Lemke,...
5. no, I'm sorry...Mahar, Maitland, McMillan, Netsch, Rupp, Schaffer,
6. Simms, Sommer, Thomas, Totten, Vadalabene, Walsh.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Rock, do you question the presence of any member?

9. SENATOR ROCK:

10. Is Senator Thomas on the Floor?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Thomas is at Senator Weaver's desk.

13. SENATOR ROCK:

14. Is Senator Keats on the Floor? Oh, I thought Senator
15. Telcser was going to take him out. Okay.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further...

18. SENATOR ROCK:

19. Senator...yeah, Senator Vadalabene in his chair?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is Senator Vadalabene on the Floor? Senator Vadalabene.
22. Strike his name. Further...Senator Rock.

23. SENATOR ROCK:

24. No, that's...that's sufficient.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Alright. For what purpose does Senator Buzbee arise?

27. SENATOR BUZBEE:

28. Let's...let's verify the greens.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator D'Arco...certainly within his...Senator D'Arco.

31. SENATOR D'ARCO:

32. I...I wasn't...through verifying the reds. There's a few
33. more people I wanted to verify. Can I do that so we can verify

1. the reds and then he can verify the greens?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Well, Senator D'Arco, do you question the presence of any
4. member?

5. SENATOR D'ARCO:

6. Yeah, I...question the presence of...Senator...oh, I'm
7. sorry to the...lady Senator on the other side. I can't think
8. of her name. Kent...

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Kent.

11. SENATOR D'ARCO:

12. ...yeah, Senator Kent. Oh, that's right. Well,...yeah.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. For what...hold on. For what purpose does Senator Buzbee
15. arise?

16. SENATOR BUZBEE:

17. I believe the request for the...verification of the negatives
18. came from Senator Rock, not from Senator D'Arco. So, I think
19. that Senator Rock is the only one that can question. Is that
20. not true?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Well, we've never ruled on that and a verification is...

23. SENATOR BUZBEE:

24. Well, I'm asking for a ruling.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Well, verification...the purpose of a verification within
27. our rules is to substantiate that anyone who has voted either
28. in the affirmative or negative is actually on the Floor. It
29. would probably be in the best interest of the Body, since that
30. is the purpose, that anyone could...could challenge. Otherwise,
31. a person might stand up, question and then say that they're
32. all here and then preclude someone else who truly wanted to
33. verify from verifying. So, Senator Buzbee, since it wasn't

1. raised, I won't respond. Senator D'Arco, do you...do you wish
2. anyone else?

3. SENATOR D'ARCO:

4. Senator McMillan.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is Senator McMillan on the Floor? Senator McMillan. Yes,
7. he's at the back. Alright. Senator Buzbee has requested a
8. verification of those who voted in the affirmative. The Secre-
9. tary will call those who voted in the affirmative.

10. SECRETARY:

11. The following voted in the affirmative: Becker, Berman,
12. Carroll, Chew, D'Arco, Dawson, Degnan, Donnewald, Egan, Geo-
13. Karis, Hall, Johns, Jeremiah Joyce, Lemke, Marovitz, McLendon,
14. Nash, Nedza, Nega, Newhouse, Nimrod, Philip, Rhoads, Savickas,
15. Taylor, Weaver, and Mr. President.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Buzbee, do you question the presence of any member?

18. SENATOR BUZBEE:

19. Yes, I do. Senator Chew.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is Senator Chew on the Floor? Senator Chew. Strike his
22. name.

23. SENATOR BUZBEE:

24. Senator McLendon.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator McLendon is...

27. SENATOR BUZBEE:

28. Senator Newhouse.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is Senator Newhouse on the Floor? There he is.

31. SENATOR BUZBEE:

32. That's...that's...that's all.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. On a verified roll call, there are 26 Ayes and 26 Nays.
2. Amendment No. 10 is lost. Further amendments?

3. SECRETARY:

4. No further amendments.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. 3rd reading. For what purpose does Senator Hall arise?
7. Senator Hall, your light is flashing. I...did you seek recognition?
8. recognition?

9. SENATOR HALL:

10. Well, I thought maybe that...I'm glad you corrected Buzbee.
11. For him to get the idea...could nobody else challenge.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Alright. 394, Senator Hall. Senator Geo-Karis.

14. SENATOR GEO-KARIS:

15. Senator Bruce,...having voted on the prevailing side on
16. Amendment No. 8 yesterday, I move to reconsider the vote...
17. on 291.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. We're still on...we're...we're still on 291. It's still
20. on the Order of 2nd reading.

21. SENATOR GEO-KARIS:

22. On...on 291.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Geo-Karis, having voted on the prevailing side,
25. moves to reconsider the vote by which Amendment No. 8 was
26. adopted. If everyone would just...hold it just a second,
27. the Chair is trying to find out who the moving member of
28. No. 8 was and...Senator D'Arco moved the adoption of Amendment
29. No. 8 and it lost. Alright. And Senator Geo-Karis, having
30. voted on the prevailing side, moves to reconsider the vote by
31. which Amendment No. 8 lost. And Senator Totten is recognized
32. on the motion to reconsider.

33. SENATOR TOTTEN:

1. Thank you, Mr. President and Ladies and Gentlemen of the
2. Senate. What the lady from Lake is trying to do is to resurrect
3. the amendment that had it at eighty-five percent yesterday and
4. we just defeated the one for eight-four percent and I would
5. suggest that the...lady's motion...is not only ill-timed, it's
6. dilatory and it's debilitating to the General Revenue Fund...
7. and I move to Table the motion.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further...Senator D'Arco.

10. SENATOR D'ARCO:

11. And now...Senator Totten moved to Table the amendment, but
12. the amendment...has already been adopted and her motion is to
13. reconsider. Now, his motion...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. No...no...no...no, Senator D'Arco...Senator D'Arco, his
16. motion was to Table Senator...Geo-Karis' motion to reconsider.
17. That that motion lie upon the Table. Senator D'Arco.

18. SENATOR D'ARCO:

19. Yeah, I just want to get it straight for the record. It
20. should be on the Table...

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator D'Arco.

23. SENATOR D'ARCO:

24. ...it should be...his motion should be that that motion
25. lie on the Table.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Right. Senator Geo-Karis. I...I would remind the Body
28. that the motion to Table is non-debatable. Senator Geo-Karis.

29. SENATOR GEO-KARIS:

30. In response to one of the prior speakers,...the reason I have
31. moved to reconsider the vote is I feel that the sponsor has a
32. right to put the bill in the position he wants to put it in and
33. no one is going to dominate me or...threaten me or intimidate me

1. to do anything else.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Rock, for what purpose do you arise?

4. SENATOR ROCK:

5. A question of the Chair,...Mr. President.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. State your question.

8. SENATOR ROCK:

9. A...a motion to Table...a motion to reconsider requires
10. how many votes?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. I think it will require...a majority of those voting on
13. the question.

14. SENATOR ROCK:

15. A motion to reconsider the failure of an amendment would
16. require how many votes?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. We...we have already...ruled on that and that will take
19. a majority of...of those voting on the issue in that the
20. primary motion only took a majority of those voting on the
21. issue. The motion to reconsider would have the same require-
22. ment. Likewise, if it required 30, it would require 30
23. affirmative. Senator Rock.

24. SENATOR ROCK:

25. Well, then...then his...Senator Totten's motion...in order
26. for that to prevail, it would take a majority of those voting
27. on that question.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. That's the ruling of the Chair. That his motion to Table
30. requires a majority...

31. SENATOR ROCK:

32. Well, I hope everyone bears in mind that...there is a
33. percent and a half increase in the contribution. This is not

1. free lunch and I hope everybody votes accordingly.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The motion is to Table Amendment No....the motion is to
4. Table the...Senator Geo-Karis' motion to reconsider the vote
5. by which Amendment No. 8 lost. On that motion to Table, those
6. in favor will vote Aye. Those opposed will vote Nay. The
7. voting is open. Have all voted who wish? Have all voted who
8. wish? Take the record. On that question, the Ayes are 21,
9. the Nays are 32, none Voting Present. .Senator Totten's motion
10. to Table is lost. The motion before the Body is Senator Geo-
11. Karis' motion to reconsider, which is debatable. Senator
12. Rock.

13. SENATOR ROCK:

14. Thank you. I would like to speak to that motion and
15. speak in favor of that motion to reconsider, unfortunately,
16. the time Amendment No. 8 was...was under discussion yesterday
17. Senators Weaver and Philip and myself and some others were
18. ensconced in the Office of the Governor talking about a
19. different subject matter. I think the amendment is worthy
20. of consideration of this Body. It does, in fact, call for a
21. percent and a half increase from the participants. That is
22. to say each and every one of us will contribute a percent and
23. a half addition...in addition to what we now contribute, which
24. is pretty high. And I think we ought to...in fairness to those
25. Gentlemen and Ladies among us who may or may not return next
26. Session, we ought to make this kind of a provision. There are
27. other retirement systems in this State who enjoy this kind of
28. percentage increase and I think we ought to do it ourselves.
29. I would speak in favor of and urge an Aye vote on the motion
30. to reconsider and then on the motion to adopt.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Berning.

33. SENATOR BERNING:

1. Thank you, Mr. President. I think I have been relieved
2. of my tacit approval not to speak on the issue when I did not
3. speak on the Amendment No. 10. Ladies and Gentlemen of the
4. Senate, the Body has now spoken twice on this same issue and
5. now we're...we are being requested to speak on it again as a
6. Body. And I submit to you that there is really no justification,
7. except the contention by our Honorable President that there were
8. those who were in conference someplace else. That, I suggest
9. to the President, is categorically untrue. The only thing
10. that has happened is that somebody has gotten their attention
11. and suggested that perhaps there is still room in the tank.
12. Now, there isn't any question but what there is a percent and
13. a half increase contribution by you and me to cover the increased
14. costs of those who went before us and will be going out before
15. us most likely. There isn't anything in this amendment that
16. is deserving of our favorable consideration. It is totally
17. contrary to everything that we have long stood for in attempting
18. to defend the Pension System as it was originally conceived.
19. And I suggest that the amendment ought to be rejected out of
20. hand.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further discussion? Senator Egan.

23. SENATOR EGAN:

24. Yes, thank you, Mr. President and members of the Senate.
25. So, that the remarks of Senator Berning do not go uncorrected,
26. as Senator Rock has indicated, this is no free lunch. It will
27. not affect the taxpayer in one slight bit. As a matter of
28. fact, for the first five or ten years the Pension System is
29. going to benefit from this and that money doesn't belong to
30. the taxpayer anymore because it's your money that's gone into
31. the Pension Fund. And it's not really subject to appropriation.
32. It's only there for the retirees. The press can say whatever
33. they want. The fact of the matter is, that this will not harm

1. the taxpayer of the State of Illinois one penny. You're paying
2. for it, you're allowing your colleagues who are retiring next
3. year an increase in a benefit that is absolutely fiscally
4. sound. When I was in college my...good old English professor
5. used to say, the problem and the trouble in the world is not
6. in what we don't know, it's in what we do know that just ain't
7. so.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? The question is on the adoption of
10. Amendment...the...the question is on the motion to reconsider
11. the vote by which Amendment No. 8 lost. Those in favor will
12. vote Aye. Those opposed will vote Nay. The voting is open.
13. Have all voted who wish? Have all voted who wish? Take the
14. record. On that question, the Ayes are 28, the Nays are 24,
15. none Voting Present. The vote by which Amendment No. 8 is...
16. was lost is reconsidered. We now go to the main motion.

17. Senator D'Arco. Senator D'Arco.

18. SENATOR D'ARCO:

19. Thank you, Mr. President. I move to adopt Amendment No.
20. 8 to House Bill 291.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The motion is to adopt. Is there discussion? The question
23. is, shall Amendment No. 8 to House Bill 291 be adopted. Those
24. in favor will vote Aye. Those opposed will vote Nay. The
25. voting is open. Have all voted who wish? Have all voted who
26. wish? Take the record. On that question, the Ayes are 29,
27. the Nays are 27. Amendment No. 8 to House Bill 291 is adopted.
28. Further amendments, Mr. Secretary?

29. SECRETARY:

30. Amendment No. 11, by Senator D'Arco.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator D'Arco is recognized on Amendment No. 11.

33. SENATOR D'ARCO:

1. Thank you, Mr. President. There was some question about
2. whether the State's Mandate Act would apply as far as the
3. Policemen and Firemen Chicago Pension Funds were concerned.
4. This amendment is offered to...indicate that the...City of
5. Chicago will pick up the full cost for those particular pension
6. funds and that the State would not...have to reimburse. And
7. I would move adoption of Amendment No. 11 to House Bill 291.
8. A disclaimer letter was, in fact, filed...by the City of Chicago
9. also, so, we're covering all the bases.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Alright. Discussion of the motion? Senator Bloom.

12. SENATOR BLOOM:

13. What order of business are we on? Right. Well, look at
14. the board. Okay, fine. You changed it. Yeah. The board...
15. that was reading 3rd.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. 2nd reading. The bill was brought back to 2nd. Further
18. discussion of the motion to adopt? All in favor say Aye.
19. Opposed Nay. The Ayes have it. Amendment No. 11 is adopted.
20. Further amendments?

21. SECRETARY:

22. No further amendments.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. 3rd reading. House Bill 394. Senator Hall asks leave of
25. the Senate to return House Bill 394 to the Order of 2nd reading
26. for the purpose of an amendment. Is there leave? Leave is
27. granted. Are there amendments, Mr. Secretary? For what
28. purpose does Senator Hall arise?

29. SENATOR HALL:

30. Is Senator Davidson on the Floor?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. He certainly is, Senator.

33. SENATOR HALL:

1. Senator Davidson, have you carefully read this amendment
2. you want to put on my bill?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Well, Senator, let...let Senator Davidson explain the
5. amendment and then we'll get down to that. Senator Davidson.
6. For what purpose...

7. SENATOR DAVIDSON:

8. Yes, I have, Senator Hall, and...

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Excuse me, Senator, Senator Buzbee has raised a point of
11. order. What's your point, Senator?

12. SENATOR BUZBEE:

13. Well, my point was, Mr. President, that I also had a written
14. motion filed on the last bill and I thought my motion would be
15. taken right after Senator D'Arco's last...it was a motion to
16. reconsider the vote by which Amendment No. 9 to House Bill 291
17. was adopted. I filed it about five minutes ago. A written motion
18. and it is...it is in the proper form.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Buzbee, it's in the nature of a Motion in Writing,
21. as opposed to an amendment.

22. SENATOR BUZBEE:

23. It's a...It's a...a motion to reconsider the vote by which
24. Amendment No. 9 to House Bill 291 was adopted. You just honored
25. that provision from Senator...from Senator...Geo-Karis and I
26. put mine in...in writing. If...if the writing...is not the
27. proper motion, I hereby make it verbally. I move to reconsider
28. the vote by which Amendment No. 9 to House Bill 291 was adopted,
29. ...having voted on the prevailing side.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. For what purpose does Senator D'Arco...Senator D'Arco
32. arise?

33. SENATOR D'ARCO:

1. You know, the bill has been moved to 3rd reading...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Well,...

4. SENATOR D'ARCO:

5. ...and,...you know, I don't know if he filed that motion
6. timely or not, but the bill is on 3rd reading and I have no
7. desire to bring it back.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. For what purpose does Senator Buzbee arise?

10. SENATOR BUZBEE:

11. Well, Mr. President, I filed my written motion before
12. Senator Geo-Karis expressed her motion verbally. I took it
13. down there and I gave it to the Secretary of the Senate. The
14. bill was on 2nd reading at the time I filed the motion and I
15. would request at this time that the Chair take the proper
16. action and consider my motion, because in its...it's in its
17. proper form and it was filed in a timely manner.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator D'Arco.

20. SENATOR D'ARCO:

21. ...President, I...I don't want to cause any confusion. If
22. it...if it's going to be...good for the process, then let's go
23. back and...let Senator Buzbee offer his...

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Alright.

26. SENATOR D'ARCO:

27. ...reconsideration motion.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Right. The...the Chair...frankly, was prepared to rule
30. against Senator Buzbee, but Senator D'Arco...Senator D'Arco
31. has asked leave of the Senate...is there leave to take...Senator
32. Hall...Senator Hall.

33. SENATOR HALL:

1. Well,...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Would you take 394 out of the record for us please? Senator
4. Hall.

5. SENATOR HALL:

6. Alright. Take...take it out of the record, but...I mean,
7. I'll only...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. 394 is taken out of the record. For what purpose does
10. Senator D'Arco arise?

11. SENATOR D'ARCO:

12. I ask leave to return House Bill 291 back to the Order of
13. 2nd reading, Mr. President.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator D'Arco asks leave to return...House Bill 291 to
16. the Order of 2nd reading for the purpose of an amendment...for
17. the...purpose of consideration of a motion. Is there leave?
18. Leave is granted. The bill is on the Order of 2nd reading.
19. Are there motions, Mr. Secretary?

20. SECRETARY:

21. Having voted on the...having voted on the...on Amendment
22. No. 9 of House Bill 291, I move to reconsider the vote by
23. which Amendment No. 9 was adopted. Signed, Senator Buzbee.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Buzbee, the question is, did you...did you vote
26. on the prevailing side? Okay. Just...your motion isn't quite
27. clear. Senator Buzbee is recognized on...on the motion to
28. reconsider the vote by which Amendment No. 9 was adopted.

29. SENATOR BUZBEE:

30. First...first of all, I want to thank Senator D'Arco for
31. extending me the courtesy of returning the bill to 2nd reading.
32. Secondly, I would like to inquire of the Chair on a point of
33. order. Given the fact that I did file the motion in a timely

1. manner and given the fact that it is in proper order and given
2. the fact that it was...given the fact that it is...as a matter
3. of fact, was ignored or it was...was bypassed somehow or other
4. before we dealt with it and I understand the technical...I
5. understand the technical problems of having...returning the bill
6. back to 3rd reading, but this...this is a precedent that's being
7. established or...or...and I'd like to know what...what the pro-
8. cedure would be in the future.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The procedure will be, Senator Buzbee, that any time you
11. file a motion, it is up to the maker of the motion to call it.
12. You did not call the motion on 2nd reading. If we were to rule
13. in your favor, Senator, every bill that was amended within the
14. last five to ten days Senators could file motions today and
15. make the same objection that you've had, we wouldn't have
16. them within our jurisdiction. If the bill is on 2nd reading
17. and a motion is prevailing, it is not the...incumbent upon
18. the Secretary to find those motions. It is upon...it is
19. incumbent upon the maker of the motion when the bill is on
20. the Order of 2nd reading to move the motion. Senator Buzbee
21. on the motion.

22. SENATOR BUZBEE:

23. Well, Mr. President, I was trying to get your attention
24. to make that motion verbally when the lady from Lake made her
25. motion and so I deferred to her and that's why I did not get
26. your attention to make my...wishes known. Now, should I
27. speak to the...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Now, just...just...just a minute. It just proves that
30. chivalry is not dead, Senator Buzbee.

31. SENATOR BUZBEE:

32. Thank you.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. And the Chair apologizes by...

2. SENATOR BUZBEE:

3. ...and Senator D'Arco has also proven that by returning
4. the bill to 2nd reading.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Right. Now, Gentlemen, we are on the motion to reconsider.
7. If we can consider that, we might be able to get on to business
8. of the Body. Alright. Senator Buzbee on the motion...on the
9. motion, Senator.

10. SENATOR BUZBEE:

11. Is this the proper time to speak to the amendment, Mr.
12. President? I want to be...I want to do everything right here.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The motion is to reconsider and why it should be.

15. SENATOR BUZBEE:

16. Okay. Thank you. The reason I have moved to reconsider,
17. as I stated in debate a few minutes ago, I came in from a
18. conference and voted Aye on the amendment without realizing its
19. content. The amendment does several things. One is, it puts
20. nonelected officials into the General Assembly Pension System.
21. This is a brand new process. We've never done this before.
22. Right now it's only General Assembly members and elected State-
23. wide officers that are members of the General Assembly Pension
24. System. I think it ought to stay in that form. Secondly, it
25. goes on and does what Senator D'Arco attempted yesterday in
26. another amendment in that it allows those members...former
27. members of the General Assembly from any time between 1983 up
28. until 1992 to get another job in State Government and continue
29. making contributions for four years, this time...it was...as
30. opposed to six years yesterday in Senator D'Arco's amendment,...
31. for four years to the General Assembly Pension System. Now,
32. that is quite a plum...quite a big plum. So, that means that
33. any of us that go into any kind of governmental work, as I

1. understand it, could then take four years of our additional
2. salary and pay it back into the General Assembly Pension System,
3. take the credit for that and increase our General Assembly
4. pension when the time came for us to draw our retirement. Now,
5. that's just two of the things that it does. I'm not sure what
6. else it does because it goes on for several pages of new language
7. and I, quite frankly, haven't had time to read those several
8. pages. But I think those two things in itself are things that
9. this General Assembly ought to consider that we may not want
10. to do. We're opening up the General Assembly Pension System
11. to people who are not elected to public office and we are
12. allowing present elected members of the General Assembly at
13. some time in the future to buy additional time into the General
14. Assembly Pension System by working at another job and paying
15. into our Pension System their share then and be able to get
16. credit when they get ready to retire. Again, as I said, I
17. don't know what else it does because...it goes on and on and
18. on for some nine pages of new language. The amendment ought
19. to be defeated and I think that the proper...at this time
20. that...that my stance, Mr. President, would be...Mr. President...

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Yes, Senator Buzbee.

23. SENATOR BUZBEE:

24. ...at...at this...at this point now, are we on the motion
25. to reconsider?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. That is correct, Senator Buzbee.

28. SENATOR BUZBEE:

29. Alright. So, I would ask for an affirmative vote on the
30. motion to reconsider...the...the vote by which House Bill No.
31. 9 passed.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Discussion? Senator D'Arco.

1. SENATOR D'ARCO:

2. Thank you, Mr. President. You know, we're making a big
3. deal about this, but the total annual cost, and I have an
4. impact statement from the Pension Laws Commission, is forty
5. thousand dollars. I mean, this...is unbelievable to me that
6. we are spending this much time on this amendment when the total
7. annual cost is only forty thousand dollars. And when they
8. contribute to this Pension System of ours, they have to con-
9. tribute the employee contribution that we have to contribute.
10. As former members, they still have to contribute the eleven
11. and a half percent, they have to make the same salary that
12. we have to make and then they're only getting service credit
13. time for four years. I don't understand what the big to-do
14. is about this bill. We adopted this amendment, it's on the
15. bill, there's no need for a motion to reconsider and I ask
16. everyone to vote No on this motion.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Berning.

19. SENATOR BERNING:

20. Just one point, Mr. President. I thought, perhaps, Senator
21. Buzbee would bring it out. Yes, it's true the former employees
22. would be eligible to make the same contribution as we do, but
23. there is no provision in there for the employer to make any
24. contribution into our system.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Marovitz.

27. SENATOR MAROVITZ:

28. ...the previous question, Mr. President.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The Chair has Senators DeAngelis, Geo-Karis and Rock to
31. speak. Senator Marovitz.

32. SENATOR MAROVITZ:

33. This matter has been debated ad nauseam. Okay. When...

1. when...when it came up before...when it came yesterday, when
2. it came up today. It's been debated. Everybody knows the
3. issue. We've got a lot of bills, a lot of work to go on with,
4. a lot of important issues at stake. It's nice to play to the
5. press, but I think it's time we move on and I do move the
6. previous question and I persist with that motion.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Well, Senator, it's been the custom and tradition of this
9. Body to allow people who have been on the...the...Presiding
10. Officer's rostrum here the...the privilege of concluding
11. their comments and we will continue with that, unless I hear
12. objection. Senator DeAngelis.

13. SENATOR DEANGELIS:

14. Thank you, Mr. President. I am not going to vote on
15. this motion. Senator Buzbee, in your committee recently I
16. did exactly the same thing you did today, except with a deeper
17. personal feeling on my part that might occur with your vote.
18. And I...and I think...Senator D'Arco has shown far more
19. courtesy to you, and I'm not saying you were discourteous,
20. but you were following the rules and in this case it was
21. ruled against you, but yet somebody chose to allow...to have
22. the courtesy to bring that bill back and, therefore, I'm not
23. going to vote on this motion.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Geo-Karis.

26. SENATOR GEO-KARIS:

27. ...of personal privilege, Mr. President and Ladies and
28. Gentlemen of the Senate. I'd like to say that when I made my
29. oral motion to reconsider the vote on Amendment 8 on House
30. Bill 291,...no one asked for a written motion, but I had filed
31. a written motion. I just want to clarify the record.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Alright. Senator Becker.

1. SENATOR BECKER:

2. Thank you, Mr. President and members of the Senate.
3. Yesterday all of you know I was determined to vote a big, fat
4. red No and the people that are sitting in the boxes that we
5. can all look straight into their eyes today are the ones that
6. changed my mind, not the little people that come over from
7. the House. I may not be with you too much longer and I don't
8. a damn about this pension, but when I opened that newspaper
9. this morning at the Mansionview Motel only to read in big,
10. bold print, "Legislators vote themselves big pension increase."
11. It hasn't even been brought before this Body...the Body across
12. the aisle and I said to myself, "you're damned if you do,
13. you're damned if you don't." So, right now I'm damned because
14. I'm going to.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Rock.

17. SENATOR ROCK:

18. Well, thank you, Mr. President and Ladies and Gentlemen of
19. the Senate. I would just rise in opposition to the motion to
20. reconsider. I think the...the amendment has, in fact, been
21. adopted. I hope everyone will...will avail themselves of the
22. opportunity to read it and I think it will point out, Senator
23. Berning, that the employer contribution is, in fact, to be
24. made either by the employer or by the employee participant
25. himself and that the other employees who are covered happen to
26. ...be...happened to have served ten or more years as Clerk
27. or Assistant Clerk of the House of Representatives and Secre-
28. tary and Assistant Secretary of the Senate. I do not think
29. this is too much to ask. I would urge a No vote on the motion
30. to reconsider.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Buzbee may close.

33. SENATOR BUZBEE:

1. Well, Mr. President, my closing argument is, I think those
2. members who were here last year remember in the waning hours
3. of the final Session we had...some discussion about the General
4. Assembly Pension System and through...and...through...through
5. an error, I was voted the wrong way when I was off the Floor
6. and found out about it and...and...asked to have that vote re-
7. considered and we...at that time, killed an opening up of...of
8. the General Assembly Pension System. Now, I understand, and I
9. probably am going to be in exactly the same spot in a very
10. short time...in perhaps a year and a half, but I don't know
11. when, that I may then, at one time, want to go and take a job
12. somewhere else and pay into the General Assembly Pension System.
13. It would be a very fat plum for me. It would be very nice. 'Cause
14. I'd like to have a big pension just like everybody else does,
15. but the fact of the matter is, I think this is something we
16. should not do. We are for the first time opening up the
17. system to people who are not elected and we are also allowing
18. additional credits for time not spent in the General Assembly
19. after you leave the General Assembly. I think it's a bad
20. idea and I think the amendment ought to be defeated.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Alright. Channel 3 News requests permission to film...
23. Channel 20 News requests permission film. Is there leave?
24. Leave is granted. Alright. For what purpose does Senator
25. Buzbee arise?

26. SENATOR BUZBEE:

27. I hadn't quite finished. I think this bill ought to be
28. defeated...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. May we have some order please? May we have some order
31. please?

32. SENATOR BUZBEE:

33. ...and I was going to say and I'm not playing to the press,

1. but would you tell the cameras not to start yet? Thank you.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. The question is on the motion...for what purpose does

4. Senator Weaver...arise?

5. SENATOR WEAVER:

6. Thank you, Mr. President. I think all of us have been
7. voted some time or another when we're not in our seats or off
8. the Floor looking after other things, but there's one way to cure,
9. that Senator Buzbee. I know that, but I don't do it and you
10. don't do it. We can take our key out of our switch.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Alright. The motion is to reconsider the vote by which
13. Amendment No. 9 to House Bill 291 was adopted. Those in favor
14. of the motion to reconsider will vote Aye. Those opposed will
15. vote Nay. The voting is open. Have all voted who wish?
16. Have all voted who wish? Take the record. On that question,
17. the Ayes are 20, the Nays are 28. The motion to reconsider
18. is lost. Further amendments, Mr. Secretary?

19. SECRETARY:

20. No further amendments.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. 3rd reading. Senator Hall is recognized on 394.

23. SENATOR HALL:

24. Thank...thank you, Mr. President and Ladies and Gentlemen
25. of the Senate. I was just addressing Senator Davidson and I
26. was asking him if he realized what this amendment did to me,
27. but he was over here and saw me and told me that Senator Sam
28. is...with him also so...Senator Sam, are you serious about
29. this?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Well, Senator Hall, do you wish to call the bill back
32. to conclude...

33. SENATOR HALL:

1. Yeah and I'm...I'm going to tell you in just a minute.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator,...well,...

4. SENATOR HALL:

5. I was addressing Senator...it has to do with this amend-
6. ment. That's the reason I'm addressing Senator Sam.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Well, why don't we get it back to 2nd reading and offer
9. the amendment, Senator Hall. I mean,...where are we? Senator
10. Hall.

11. SENATOR HALL:

12. Well, I...I don't want it to be...I don't want...I don't
13. want it to be back here if...if this amendment is going to go
14. on.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Well, then Senator that's...as sponsor of the bill, it's
17. up to you.

18. SENATOR HALL:

19. Yeah. But I wanted to find out from Sam...it depends on
20. Senator Sam here.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Well, why don't you ask him?

23. SENATOR HALL:

24. It only takes a minute just to ask...just asking a question.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Alright. Gentlemen, I'll report to you that it's now
27. twenty minutes till six. We have about thirty amendments
28. here to go and we're going to be long tonight. Senator
29. Vadalabene is recognized.

30. SENATOR VADALABENE:

31. Yes, thank you,...Mr. President. I think you took longer
32. than my answer. The...the answer is, does an Italian like
33. spaghetti? I'm serious about this.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Alright. Senator Hall, what is your desire on 394?

3. SENATOR HALL:

4. Just leave my bill where it is.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Alright. It's still on 3rd reading. 439, Senator Coffey.

7. Senator Coffey asks leave of the Senate to return House Bill

8. 439 to the Order of 2nd reading for the purpose of an amend-

9. ment. Is there leave? Leave is granted. The bill is on

10. the Order of 2nd reading. Are there amendments, Mr. Secretary,

11. please?

12. SECRETARY:

13. Amendment No. 8, offered by Senators Carroll and Demuzio.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President. Amendments 8 and 9 were amend-

18. ments that...in an earlier department amendment pulled off

19. some reappropriations. 8 would add back the Valley City

20. Bridge. I would move adoption of Amendment No. 8.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The motion is to adopt Amendment No. 8. Discussion? All

23. in favor say Aye. Opposed Nay. The Ayes have it. Amendment

24. No. 8 is adopted. Further amendments?

25. SECRETARY:

26. Amendment No. 9, by Senator Carroll.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Carroll is recognized.

29. SENATOR CARROLL:

30. Thank you, Mr. President. This would add back the North

31. Branch Chicago River as a reappropriated project. I would

32. move Amendment No. 9.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. The motion is to adopt Amendment No. 9. Discussion of
2. the motion? All in favor say Aye. Opposed Nay. The Ayes have
3. it. Amendment No. 9 is adopted. Further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. 3rd reading. 491. Senator Davidson asks leave of the
8. Senate to return House Bill 491 to the Order of 2nd reading
9. for the purpose of an amendment. Is there leave? Leave is
10. granted. The bill is on the Order of 2nd reading. Are there
11. amendments, Mr. Secretary, please?

12. SECRETARY:

13. Amendment No. 6, by Senator Buzbee.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. For what purpose does Senator Chew arise?

16. SENATOR CHEW:

17. Senator Collins doesn't fee well and she's going to go
18. lay down. I wonder would the Senate grant her the privilege,
19. in case all of these technicalities come up on the various
20. amendments on verification,...would she have that leave? She
21. has been sick, as you so well know, and she needs that privilege.
22. She'll be back in the back, but she needs to lay down.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Well, Senator Chew, the...

25. SENATOR CHEW:

26. Is there leave already?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. ...the...the...yeah,...Senator Chew, the...the...each...each
29. roll call would be subject to verification. Yesterday we worked
30. along very well without any formalization of that procedure and
31. the Chair would be reluctant to formalize what you've just
32. requested. Senator Weaver.

33. SENATOR WEAVER:

1. I don't think we need to formalize it. We've shown the
2. courtesy on this side of not calling her or Senator Donnewald
3. when they are off the Floor, Senator Chew.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Amendments, Mr. Secretary, to 491?

6. SECRETARY:

7. Amendment No. 6, offered by Senator Buzbee.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. Thank you, Mr. President. This amendment adds one hundred
12. and ninety-nine thousand dollars in GRF to the Personal Services
13. line item in the Operations Budget of the State Board of
14. Education. It will...permit an eight percent salary increases
15. for all current GRF staff on July 1, 1982. With adoption
16. of this amendment, the GRF Operations Budget of the State
17. Board of Education will be 16.2 million dollars or nine hundred
18. eighty-one thousand nine hundred forty-four dollars over FY '81
19. estimated expenditures. That is a 6.4 percent increase and I
20. would move its adoption.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The motion is to adopt Amendment No. 6. On the motion
23. to adopt, discussion? Senator Totten.

24. SENATOR TOTTEN:

25. Thank you, Mr. President and Ladies and Gentlemen of the
26. Senate. Sometimes...well, I guess I do understand what goes
27. on sometimes, but I don't know whether everybody realizes
28. what's in this add back. In effect, what we're doing is,
29. we're giving a 6.4 percent operations increase into the State
30. Board of Education. This is more than we've done for Higher
31. Ed. and the grant...categorical grant items are only giving
32. 4.2 percent for the kids and this would enable the State Board
33. of Education to give a 9.8 percent...raise in Fiscal '82 to

1. most of their employees. I can't really understand why we
2. should be doing this, outside of the fact that the State Board
3. of Education has got the most effective bunch of bureaucrats
4. in getting money than any other group in State Government.
5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Grotberg.

7. SENATOR GROTBORG:

8. Well, thank you, Mr. President. We probably all got the
9. same information on this lovely gem, but when the State Board
10. of Education, the most overfunded, unproductive department
11. in the State of Illinois barring none, comes in for a 9.8
12. pay raise for its bureaucrats, and as the previous speaker
13. said, the kids are going to get six...or 4.2 percent raise
14. and the bureaucrats altogether on an average 6.4, there's
15. just something wrong. They're going to...they're trying to
16. save some jobs and doing it in this manner plus giving pay
17. raises and it just doesn't fit. I hope that we can reject
18. this amendment and put the money where it's needed.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Schaffer.

21. SENATOR SCHAFFER:

22. Mr. President,...what a difference a day makes. I think
23. if you'll think about last night, I tried to put an amendment
24. on to do virtually the same thing. To move a pay raise from
25. January 1 to July 1 for the Children's Care line item in the
26. Department of Mental Health. Now, the people I was trying to
27. help...by the way, very few of whom live anywhere near my
28. district, most of whom happen to reside in the City of Chicago
29. and other large downstate cities,...was for people who make
30. fifty or sixty percent of the IOE employees, who empty bedpans
31. and change soiled sheets and work in miserable conditions
32. with hands-on care and yet the Gentleman on the other side
33. didn't think they should get a pay raise July 1. So, here

1. we are with the smoke shovelers in the golden palace whose
2. very existence on the public payroll is an indictment to the
3. inefficiency of this State Government trying to fatten that
4. payroll. Well, by God, I think the people who empty the bed-
5. pans deserve that pay raise, but I think the smoke shovelers
6. should just go without.

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8. END OF REEL
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1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President, and Ladies and Gentlemen of the
5. Senate. I rise in support of Amendment No. 6, and would ask
6. the total support of this side of the aisle. As I understand
7. it, and I'm not a member of that committee, but the same formula
8. was applied to the Personal Service line items of all agencies.
9. This is just restoring it so that it fits in with everybody else.
10. I don't see anything wrong with that, and I would urge the adoption
11. of Amendment No. 6.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The motion is to adopt Amendment No. 6. All those in favor
14. say Aye. Opposed Nay. The Ayes have it. There's been a request
15. for a roll call. Those in favor will vote Aye. Those opposed
16. will vote Nay. The voting is open. I'm sorry, Senator Buzbee,
17. I...I didn't let you close, but why don't we just take the roll
18. call and see how you do. Well...on roll call, we've never allowed
19. that, Senator, never. Have all voted who wish? Have all voted
20. who wish? Have all voted who wish? Senator Buzbee, do you wish
21. to vote on your own amendment? Have all voted who wish? Take
22. the record. On that question, the Ayes are 25, the Nays are
23. 30. Amendment No. 6 to House Bill 491 is lost. For what purpose
24. does Senator Buzbee arise?

25. SENATOR BUZBEE:

26. On a point of personal privilege. I've antagonized everybody
27. else on this Floor this afternoon, I might as well antagonize you.
28. You did not allow me to close on my own amendment.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The Chair apologizes, Senator Buzbee.

31. SENATOR BUZBEE:

32. The rather...the rather harsh...

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. No...no, now Senator Buzbee, that was the electronic marvel
2. that cut you off that time, we have a...a surge in the line, and
3. when we clear the board it cuts off your microphone, Senator Buzbee.
4. Senator Buzbee. The Chair apologizes. Further amendments,
5. Mr. Secretary?

6. SECRETARY:

7. Floor Amendment No. 7 by Senator Buzbee.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Buzbee.

10. SENATOR BUZBEE:

11. If you liked the last one, you're going to love this one.
12. This is an add back of forty thousand dollars, GRF to the
13. Travel line of the State Board of Education's Operations budget
14. for FY'82. This will permit the agency to have six hundred
15. fifty-five thousand three hundred dollars in travel funds
16. which equals the FY'81 expenditure level. It's absolutely zero
17. increases over FY'81 expenditure, it brings them up to the same
18. level in FY'82 that they had in FY'81. And I...I really didn't
19. realize what an ogre I was until Senator Schaffer so...so very
20. well...in his opinion described me on the last amendment. I'm
21. sure that he'll find me even more orgeish with this amendment.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Bloom. Discussion of the motion?

24. SENATOR BLOOM:

25. This is for the folks from IOE to go traveling?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Buzbee there's a question...

28. SENATOR BLOOM:

29. You know the folks from IOE went traveling earlier this
30. year, and the result is probably litigation. I suggest that they
31. can do enough harm sitting in their office cranking out rules.
32. To have them traveling around the State, is...to pillage and
33. burn, I think, is a very unwise policy. I'd urge both sides of

1. the aisle to leave their Travel line item nice and well alone...
2. clean. I'd urge a No vote.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Davidson.

5. SENATOR DAVIDSON:

6. Mr. President, and members of the Senate. I rise in support
7. of this amendment. It puts the travel back to the same it was
8. this year. And if Senator Bloom would have his illustrious people
9. who signed complaints and put in a complaint to IOE, and a hundred
10. plus complaints asking for investigation of the local school
11. districts, we wouldn't have had to send them to Peoria. But IOE does
12. have a charge, a duty, when a...local complaint comes in to respond
13. to it. And that's exactly what they did. Now, the response may
14. not have been correct, but they responded, and you certainly don't
15. want to deny the travel for those IOE people to respond to complaints
16. from your constituents. I vote an...urge an Aye vote.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Gitz.

19. SENATOR GITZ:

20. Since we're amending the Travel line, I was wondering whether
21. we could make these all one way tickets.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Buzbee may close.

24. SENATOR BUZBEE:

25. I don't...I don't have anything to say. Thank you.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion is to adopt Amendment No. 7. Is there a requirement
28. for a roll call? All right, those in favor will vote Aye. Those
29. opposed will vote Nay. The voting is open. Have all voted who
30. wish? Have all voted who wish? Have all voted who wish? Take
31. the record. On that question, the Ayes are 22, the Nays are
32. 30. The motion to adopt Amendment No. 7 is lost. Further amend-
33. ments?

1. SECRETARY:

2. Amendment No. 8 by Senators Johns and Vadalabene.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Johns is recognized on Amendment No. 8.

5. SENATOR JOHNS:

6. What I plan to do with this amendment, if I could gain enough
7. votes, is reduce the appropriation from the Federal funds for
8. ninety-four one forty-two by two hundred thousand dollars. This
9. amendment was offered by Senator John Davidson before, all this
10. money, it is Federal funds, and I want to transfer these and keep
11. these forty people on for a year, give them a chance to look for
12. a new job if necessary, put them in Special Ed. and IOE.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Motion is to adopt. Discussion? Senator Totten.

15. SENATOR TOTTEN:

16. Thank you, Mr. President, and Ladies and Gentlemen of the
17. Senate. This is the cat with three lives. Senator Davidson tried
18. to pass it, he had to withdraw it. Somebody tried to run it through
19. yesterday, we defeated it. This is the case where we have forty
20. people in IOE nobody wants, so they found a way to throw them
21. over to Special Ed. and the Special Ed. people don't want them.
22. Now, I got up and rose on this yesterday, I think thirty of the
23. forty people have called me and told me how terrible I am to be
24. doing this, and that we ought to pass it. Well I'll tell you,
25. here's a case where the department wants to cut some people out.
26. They have forty people under some Federal program, they don't need
27. them, and now we're finding another place for them to go. Well,
28. why don't we tell them where to go, we don't want them to work
29. for State Government right now, there's no place for them, and
30. here's a chance to cut back on them. I'm surprised at Senator
31. Johns.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Senator Rock.

1. SENATOR ROCK:

2. Thank you, Mr. President, and Ladies and Gentlemen of the
3. Senate. I'm not surprised at all, I thought I was going to offer
4. this amendment myself, it's a good one, and I urge its adoption.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Buzbee.

7. SENATOR BUZBEE:

8. Well, yes, maybe...maybe...I'd like to...well, I'm trying to
9. figure out what's the best strategy, to be for it, or be against
10. it. I know which way I want it to go but I don't think that if I
11. said anything that...like that it would go that way today. But
12. as Senator Totten very aptly pointed out, we did kill this thing
13. yesterday, it's forty folks whose Federal funding has run out,
14. there's nothing for them to do anymore, and so they're transferring
15. them over to Ninety-Four One Forty-Two funds, most of them don't
16. even have any expertise in Special Education, by the way.
17. And when I asked for a description of what they're going to be
18. doing in their jobs, they gave me such things as, they're going
19. to be helping school districts fill out forms that go to SBE.
20. And I said, well you know if we didn't have SBE forms they wouldn't
21. have to be there to help them fill them out. And they're going
22. to be traveling around, and they're going to be helping in in-
23. dividual placement plans of Ninety-Four One Forty-Two children,
24. except they don't know anything about Ninety-Four One Forty-Two
25. they're not Special Ed experts. You know, I know that we've all
26. gotten phone calls from some of these folks, there's only forty
27. of them, but I know there's...probably everyone of us has, at least,
28. three in our district, because they've called today and said, I'm
29. ...I'm in your district, and I'm one of those forty. But it's
30. only forty people, and the jobs are not needed, and we ought to
31. cut it out. We ought to vote No on this amendment.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Senator Schaffer.

1. SENATOR SCHAFFER:

2. Mr. Chairman, I...yesterday I echoed Senator Buzbee's call,
3. since then I've had it explained to me. So, I think I at least
4. ought to put that on the record. I found out who one of them is,
5. and I'm for the amendment today gang.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Davidson.

8. SENATOR DAVIDSON:

9. Well, it was a good amendment when I had it yesterday, and it
10. was a good amendment when I withdrew it the day before, because
11. they didn't think they had seen it, even though it had been looked
12. at and analyzed, and whatever other words you want. Some of the
13. people who have objected to this amendment have got calls from
14. the superintendent of Special Ed. districts saying, hey, I
15. don't want them people in looking at my books. I say to you,
16. if he don't want his books looked at, what's he got to hide. This
17. is a good amendment. I urge a Yes vote.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Savickas. Senator Savickas, your microphone is
20. evidently not working. Why don't you use my microphone?
21. There you're on, Senator.

22. SENATOR SAVICKAS:

23. I understand that there's no list of these forty people, and
24. if Senator Schaffer is privy to who they are, I would wish you
25. would share them with this side of the aisle. I'm curious to
26. see who these people are, if there are any from my district.
27. I...I think that if this list is not available, that this Assembly
28. should not support this. I'm...he's coming over to inform me now.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Savickas.

31. SENATOR SAVICKAS:

32. I was just informed one of the forty is Senator Schaffer's
33. best Republican committeemen.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Sommer.

3. SENATOR SOMMER:

4. Just...just a question if I could...could ask the question
5. to someone who may know, will this be the last bite for these
6. people? And the reason I ask is that when I was the spokesman
7. on Appropriations for some years, we never jerked somebody out
8. of a job within the last days of the General Assembly, we would
9. provide funding from...for a period of time so that they could
10. go out and seek other employment. Can I get an assurance from
11. someone over there that this will be the end of these people in
12. the event that their...their amendment goes on, and...and they
13. will not be back next year, and they will have to go out and
14. seek other jobs.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Johns.

17. SENATOR JOHNS:

18. In this amendment it says that these people will be funded by
19. Federal funds that are available now for one year, am I not right,
20. John?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Buzbee.

23. SENATOR BUZBEE:

24. With...with a further modification, that is correct. The
25. further modification is, they were also told as soon as any GRF
26. funds become available, and positions become available, in...in
27. the State Board of Education, they will get those jobs.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Sommer.

30. SENATOR SOMMER:

31. What...what you're saying is, that if vacancies would come
32. up within the agency, that they'll have the opportunity to fill
33. those vacancies, and ultimately would reduce that number forty

1. downward because other people would be leaving the agency in
2. order to fill those vacancies, is that what you're telling me?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Johns.

5. SENATOR JOHNS:

6. Roll call, Mr. President.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. No, Senator DeAngelis has a question or comment.

9. SENATOR DeANGELIS:

10. From what I...from what I understand, also, that these are
11. to be out of Federal funds. I would like to ask a question of
12. the sponsor. Illinois is a self-reimbursing employer under
13. unemployment compensation, what would be the economic impact to
14. the State General Revenue Fund if these people were laid off?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Johns.

17. SENATOR JOHNS:

18. I'd like to refer that to Senator John Davidson, I'm sure
19. he has more facts on this than I do. John, do you?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Davidson.

22. SENATOR DAVIDSON:

23. Well, it's common knowledge that anybody that's laid off, their
24. job is terminated, is qualified to ask for unemployment benefits.
25. And maybe that's what Senator DeAngelis is responding to, and
26. if you lay these people off and they receive unemployment benefits,
27. it's certainly going to be a cost to the State of Illinois, and
28. the already overburdened Unemployment Fund that we're already
29. having to borrow money for. I urge an Aye vote.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Further discussion? Senator Johns.

32. SENATOR JOHNS:

33. Roll call.

H.B. 494
Recalled

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is, shall Amendment No. 8 to House Bill 491
3. be adopted. Those in favor vote Aye. Those opposed vote Nay.
4. The voting is open. Have all voted who wish? Have all voted
5. who wish? Have all voted who wish? Take the record. On that
6. question, the Ayes are 27, the Nays are 26. Amendment No. 8
7. to House Bill 491 is adopted. Further amendments?

8. SECRETARY:

9. No further amendments.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. 3rd reading. House Bill 495, Senator Buzbee. Senator Buzbee
12. asks leave of the Senate to return House Bill 494 to the Order
13. of 2nd reading for the purpose of an amendment. Is there leave?
14. Leave is granted. The bill is on the Order of 2nd reading. Are
15. there amendments, Mr. Secretary, please?

16. SECRETARY:

17. Amendment No. 4 by Senator Lemke.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Lemke is recognized.

20. SENATOR LEMKE:

21. This is an amendment that there's no dollar change. What we
22. did is we took the Americanization Program out of 14A, which is the
23. adult education and created a new section called 14D. So, we're
24. transferring five hundred thousand from 14A to...to a line item
25. for 14D from Americanization Program. It doesn't create any new
26. money. I ask for its adoption.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The motion is to adopt Amendment No. 4. Discussion? All in
29. favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is
30. adopted. Further amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDING OFFICER: (SENATOR BRUCE)

AB 588
Recalled

1. 3rd reading. 588, Senator Schaffer. Asks...Senator Schaffer asks
2. leave of the Senate to return House Bill 588 to the Order of 2nd
3. reading for the purpose of an amendment. Is there leave? Leave
4. is granted. The bill is on the Order of 2nd reading. Are there
5. amendments, Mr. Secretary, please?

6. SECRETARY:

7. Amendment No. 21 by Senator Buzbee.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Buzbee on Amendment No. 21.

10. SENATOR BUZBEE:

11. Thank you, Mr. President. This amendment addresses the Depart-
12. ment of Public Health in House Bill 588. It is a total...addition
13. of nine hundred fifty-three thousand two hundred dollars of which
14. seven hundred thirty-eight thousand five hundred is GRF, two hundred
15. seventeen thousand seven hundred dollars is Federal. This, in
16. keeping with our system this year of working through the Bureau
17. of the Budget, the agencies have to go back through the Bureau of
18. the Budget and the Governor's Office, after we have made the...the
19. cuts in the committee before they come back to the committee members.
20. This was the agreement that was reached, and the Director of the
21. Department has signed off...wanted it, it adds three hundred sixty-
22. three thousand seven hundred dollars in GRF Personal Services.
23. Two hundred and sixteen thousand in GRF Contractual. A hundred
24. fifty-four thousand in GRF Equipment. Two hundred seventeen
25. thousand in Federal Personal Services related items...related lines.
26. And I would move its adoption.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The motion is to adopt. Discussion? Senator Degnan. The
29. motion is to adopt Amendment No. 21. Discussion? Discussion?
30. All in favor say Aye. Opposed Nay. The Ayes have it. Amendment
31. No. 21 is adopted. Further amendments?

32. SECRETARY:

33. Amendment No. 22 by Senator Buzbee.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Thank you, Mr. President. Amendment No. 22 is...addresses
5. the Department of Public Aid. Is...is that correct, Mr. Secretary?

6. SECRETARY:

7. Senator Buzbee, it doesn't show me on here.

8. SENATOR BUZBEE:

9. Okay, well I'm informed by our staff that it does. This is
10. a total restoration in the operations portion of the Department
11. of Public Aid of nine million five hundred seventy-four thousand
12. two hundred dollars. And I would like to point out, that with
13. this restoration, we still have a net reduction in the operations
14. portion of the Department of Public Aid of over six million dollars.
15. When we took these cuts we know...we knew we were going way too
16. deep in some areas, but we had to identify which was absolutely
17. essential, and we have since done that. The House cut about two
18. million we have cut another four million, and so this is an add
19. back of some nine million five hundred seventy-four thousand of
20. which one million one hundred sixty-eight thousand is in Central
21. Division. Eight hundred dollars in Regional Divisions. A million
22. eight hundred seventy-one thousand one hundred dollars in EDP
23. Division. Eighty-one thousand in Training Division. Four hundred
24. fifty-three thousand in Child Support Division. Two million four
25. hundred fifteen thousand nine hundred in Social Services Division.
26. Six hundred eighty-three thousand four hundred dollars in Medical
27. Division. Two million eight hundred nineteen thousand in Field
28. Division. Twenty thousand three hundred in Food Stamp Divisions.
29. Fifty-nine thousand five hundred in Attorney General Division.
30. And I would move its adoption.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The motion is to adopt Amendment No. 22. Discussion of the
33. motion? All in...all in favor say Aye. Opposed Nay. The Ayes

1. have it. Amendment No...Senator Dawson.

2. SENATOR DAWSON:

3. I have a question I'd like to ask. Is this going into ad-
4. ministration for those different departments?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. This is the operations portion of the Department of Public
9. Aid's and we have cut them by some six million dollars even with
10. this add back.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Dawson.

13. SENATOR DAWSON:

14. But none of this is actually going into services to the
15. people, this is going for staff and administration, correct?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. That is correct. The services money is in the next amendment
20. that's going to be offered right after this one, Senator Dawson.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Dawson.

23. SENATOR DAWSON:

24. If their budget is being cut by basically twenty percent, I
25. don't see why we should be adding back into their administrative
26. budget on this here. I'd like to ask for a roll call on this one.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. All right. Further discussion? Further discussion? The
29. question is...Senator Buzbee may close.

30. SENATOR BUZBEE:

31. Well, I would point out, that...I would point out, that the
32. original cuts made in committee to the operational portion of the
33. Department of Public Aid were in excess of fifteen million dollars.

1. We knew that that was going too deep, as I explained earlier, but
2. it was necessary for us to make those deep cuts to be able to...to
3. be able to identify which ones were absolutely essential. In the
4. negotiations we have...in the process here, we have added back nine
5. million, it's still a net reduction of over six million dollars in
6. their operations portion.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Have you concluded Senator...

9. SENATOR BUZBEE:

10. We are now at the position of having an operational budget of
11. somewhere in excess of two hundred million dollars for this department.
12. And I think it's...it's a good amendment.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Buzbee has closed. The question is on the adoption
15. of...for what purpose does Senator Keats arise? He was closing
16. Senator. We're all...I would remind the Body that on this little
17. sheet we have, are forty-three amendments. It's taken us a little
18. over thirty minutes to get through the first eight. So, if we
19. have other questions...Senator Keats, he was closing. Senator Keats.
20. Senator Buzbee is the maker of the motion. The question is on the
21. adoption of Amendment No. 22 to House Bill 588. There's been a
22. request for a roll call. Those in favor will vote Aye. Those
23. opposed will vote Nay. The voting is open. Have all voted who
24. wish? Have all voted who wish? Have all voted who wish? Take
25. the record. On that question, the Ayes are 28, the Nays are 24.
26. Amendment No. 22 to House Bill 588 is adopted. Further amendments?

27. SECRETARY:

28. Floor Amendment 23, by Senators Carroll and Buzbee.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. On this, I will defer to Senator Carroll for his explanation.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Carroll is recognized.

2. SENATOR CARROLL:

3. Thank you, Mr. President, and Ladies and Gentlemen of the
4. Senate. These are the adjustments in the various line items of
5. service recipients of grants in the Department of Public Aid.
6. Through the last several weeks we have been attempting through
7. various substantive language changes to help the Governor come
8. up with a balanced budget. They have told us in the Department
9. of Public Aid we could spend no more than one billion six hundred
10. and eleven million. This proposal would adjust those lines below
11. the Governor's request, in fact, and be one billion five hundred
12. and ninety-three million. Within this are the give backs for the
13. types of services we were talking about with our hospital day
14. limitation. We will have an amendment to that substantive language,
15. but basically what we are attempting to do, is still provide basic
16. service to people medically in need. To do so in a comprehensive
17. and sensible way, and to eliminate from the hospital stays, at
18. least, some fourteen percent of the...of the total number of hos-
19. pital stay days, currently in Illinois. I would move adoption of
20. Amendment 23 and answer questions.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The motion is to adopt. Senator Schaffer.

23. SENATOR SCHAFFER:

24. Mr. President, I rise in support of this amendment. This
25. in a fact...in effect, puts the...this particular portion of the
26. budget some eighteen million, almost nineteen million under the
27. Governor's...Governor 2 request. I should point out to the
28. members of the Senate, that a little later today, we're going
29. to be voting on a cost containment bill, and some amendments to
30. that bill, that without that legislation these figures become
31. a piece of fiction. So...and I might add, I'm confident that
32. 588, if ever any bill ended up in a Conference Committee, 588
33. is going to end up in one. And I'm also confident, and you might

1. want to bear this thought in mind as you are hit in the next
2. twenty-four hours or forty-eight hours by various vested in-
3. terest groups, these figures are subject to modification. I
4. think though, that both sides of the aisle are committed to
5. the bottom line. And I, at least, the billion six one two
6. line, and maybe a little lower, but we do need this amendment
7. on, but I would also just like to lay a little groundwork a
8. little later in the day with...we're going to need your help
9. on some legislation so that we can make these figures real
10. figures towards the end of next fiscal year.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Further discussion on the motion to adopt
13. Amendment No. 23? Senator Carroll may close.

14. SENATOR CARROLL:

15. Yes, just merely to amplify what Senator Schaffer said. That
16. most of the people you've been hearing from, the dentists, the
17. optometrists, the physicians, the pharmaceuticals, et ceteras, have
18. been accommodated, they've agreed that they have to take some
19. cuts but they've been given back vast majorities of what the
20. Governor was going to cut from them. And they have, in fact,
21. come up with the programs necessary to implement these dollar
22. figures, and we commend them for working with us to help cut costs.
23. And I would urge adoption.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The motion is to adopt Amendment No. 23. On the motion to
26. adopt, all in favor say Aye. Opposed Nay. The Ayes have it. Amend-
27. ment No. 23 is adopted. Further amendments?

28. SECRETARY:

29. Floor Amendment No. 24 by Senator Carroll.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Carroll is recognized.

32. SENATOR CARROLL:

33. Okay, this is the amendment for Guardianship and Advocacy of

1. a hundred and nineteen thousand to pay for the guardian...the
2. costs that are incurred by the public guardian in Cook County.
3. I would move adoption of Amendment 24.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The motion is to adopt. Discussion? Senator Schaffer.
6. SENATOR SCHAFFER:

7. Why are we doing this, this is unbudgeted, do we do this for
8. any other county? How are we...how, when, where, and how did this
9. money come from?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Carroll.

12. SENATOR CARROLL:

13. Since your questions were multiple, the answer won't be. We
14. do it for all the other counties.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Schaffer..

17. SENATOR SCHAFFER:

18. I'm...I'm unaware of that. Please amplify, I...all my handlers
19. are saying that ain't necessarily so.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Carroll.

22. SENATOR CARROLL:

23. Well, it is necessarily so. We do pay the guardian...public
24. guardian costs, in fact, the Senate confirms those positions, the
25. Governor appoints them. Do you recall that? And this is the amount
26. equivalency in Cook.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Schaffer.

29. SENATOR SCHAFFER:

30. You talking about the conservators and guardians that settle
31. estates, Senator Carroll?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Carroll.

1. SENATOR CARROLL:

2. The title as I recall it, is the Office of the Public Guard-
3. ian of the various counties, yes.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. I spent several years in county government, and...and like
8. to think I'm reasonably well-informed. I've never heard of such
9. an office in my county, and I wonder how many of my downstate
10. friends have ever heard of an office in their counties. I...you
11. know, I am aware of one thing that we confirm, but that person
12. settles estates and gets a percentage of the estates they settle
13. for a salary, and that's not what I would call State reimbursement.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Rhoads.

16. SENATOR RHOADS:

17. Well, a question of Senator Carroll. Senator, within the
18. last year, I believe, the public guardian in Cook County was re-
19. moved from office, could you tell me who the public guardian
20. now is?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Carroll.

23. SENATOR CARROLL:

24. No, I couldn't. I don't know who it is. But I do know that
25. in...in partial response, Senator Schaffer, the Governor does
26. pick such a person in each county.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Rhoads.

29. SENATOR RHOADS:

30. I...I was the one that was asking a question. The Office
31. of the Public Guardian in Cook County is...I've been by it, it's
32. located in the City Hall in Chicago. The...and that person is
33. now paid by whom, by the County of Cook or by the City of Chicago,

1. or how?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Carroll.

4. SENATOR CARROLL:

5. Senator Rhoads, I believe that office is in the Daley Center,
6. and it is paid for now by the County of Cook, where in the other
7. counties the equivalency is paid...is not so paid for by the
8. county.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Rhoads.

11. SENATOR RHOADS:

12. Yes, and the...that Public Guardian in Cook County, because
13. of the responsibilities and so forth, gets paid out of fees...the
14. ...the source of revenue from which the Public Guardian in Cook
15. County is paid has to do with interest earned on escrow accounts,
16. as I recall. And the amount of money comes to quite a sum, I
17. think that public guardian is paid over thirty or forty thousand
18. dollars, if...if I'm not mistaken, whereas if they do exist down-
19. state they aren't paid very much at all. Can...can you tell me
20. what the salary of the Public Guardian is in Cook County?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Carroll.

23. SENATOR CARROLL:

24. No, I don't know. I would assume your figure to be somewhere
25. in the range of where it's at. These are the costs incurred for
26. that entire office's operation for a current year.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Rhoads.

29. SENATOR RHOADS:

30. This gets curiouser and curiouser, isn't this the office
31. and the individual that Channel 2 had an expose' about...within
32. the last year regarding the...the conduct of the Public Guardian
33. in Cook County?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Carroll.

3. SENATOR CARROLL:

4. I honestly don't know. I remember there was a commentary
5. about a person in that office, I...as I recall, and I don't know,
6. I think they changed who that person was, and that was what the
7. fight was, the old one didn't want to get out, and the new one
8. couldn't get in, as I recall it. But I'm...I'm not...you know, for
9. the record, it's harder for me to say, because I don't remember.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Rhoads.

12. SENATOR RHOADS:

13. Well, who...who asked for this, did the Cook County Board
14. no longer want to pay them, and they...they would rather have it
15. come out of State funds instead?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Carroll.

18. SENATOR CARROLL:

19. The position of the county was, that since the others are
20. not being paid by county expense, their's shouldn't...their's
21. is the only one that is, and that's why the request that it be
22. paid.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Rhoads.

25. SENATOR RHOADS:

26. But do the other downstate counties get a...a source of revenue
27. from escrow accounts and...and so forth? I mean, do...do the
28. downstate counties handle it the same way that Cook County does?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Carroll.

31. SENATOR CARROLL:

32. I...I'm not really a hundred percent sure, Senator Rhoads, I
33. don't know how the downstate counties handle it. My understanding

1. is, that they are not as large, and therefore don't have to
2. have a full-time office, that they are part time downstate, be-
3. cause of the volume, and for no other reason. But in all aspects,
4. it's handled somewhat the same.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? Senator Sommer...or Senator Rhoads, did
7. you have further...

8. SENATOR RHOADS:

9. I just speak in opposition to the amendment. I...I don't
10. think we know what we're getting into here. It...the...the Cook
11. County Public Guardian is a very unique type of office and it
12. is conducted in a...in a very different manner from...if these
13. animals exist downstate, and I'm not sure that they do in every
14. county. But Senator Sommer is about to elucidate on that, and
15. ...and inform us. But I do know something about the Public
16. Guardian Office in Cook County, and I don't see why the
17. State of Illinois should be assuming an expense that the County
18. of Cook now has, particularly when the County of Cook has a...
19. if I am not mistaken, a special source of revenue, and that
20. this office actually raises revenue.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Sommer.

23. SENATOR SOMMER:

24. Mr. President, and members. In downstate there are these
25. guardians, and they deal with...estates that will escheat, and
26. they handle these, and process them, and do whatever is needed
27. to be done, and their fees are set by the court. It's quite
28. common that these people conserve for many years and never re-
29. ceive a dime, but once in awhile there will be an escheated
30. estate, and they...they got to the court and they petition
31. a fee, and frankly they don't get a heck of a lot for doing it.
32. I don't know the Cook County situation, but downstate it's no
33. cost to the counties whatsoever.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Schaffer.

3. SENATOR SCHAFFER:

4. Well, this is exactly what I thought, and I...I have it from
5. a reliable source, that Senator Sommer is exactly right. I...
6. I...as I understand it in my county, when we have had a Democratic
7. Governor, we...our guardian is generally a Democratic bailiff in
8. the court house, and now that we have a Republican Governor, it's
9. the Republican bailiff in the court house, and I think in the
10. probate court. And I recall talking to the Gentleman, and he
11. said in the last three years he's made, I think, three hundred
12. and seventy-five dollars, and thought he had been doing fairly
13. well. Frankly, I rise in opposition to the amendment because
14. this is a whole new concept that has the State of Illinois picking
15. up this office for one county, and one county only. And it may
16. only be a hundred and twenty thousand this year, but Lord only
17. knows what it could be ten years from now. I think we ought to
18. reject this concept, if a case can be made for State involvement,
19. I think it ought to be made in a much different manner than we're
20. attempting to do here today. And I urge the defeat of the amend-
21. ment.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Carroll may close.

24. SENATOR CARROLL:

25. Why, thank you, Mr. President. Let me just echo, which I
26. found elucidating, Senator Sommer's comments, that the other
27. counties are not paying this cost, the only one that is, is
28. Cook. This is an attempt to put them basically in the same juxto-
29. position as the other counties of the State. The difference is
30. obviously the volume of guardianships within a county like Cook,
31. and that's why the necessity of an office as opposed to a guy
32. who's picking up an extra three hundred. And I would ask for
33. adoption of Amendment No. 24.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is on the adoption of Amendment No. 24 to
3. House Bill 588. Is...is there a request for a roll call? There's
4. a request for a roll call. Those in favor will vote Aye. Those
5. opposed will vote Nay. The voting is open. Have all voted who
6. wish? Have all voted who wish? Have all voted who wish? Take
7. the record. On that question, the Ayes are 26, the Nays are
8. 30. Amendment No. 24 to House Bill 588 is lost. Further
9. amendments, Mr. Secretary?

10. SECRETARY:

11. Amendment No...Floor Amendment No. 25 by Senator DeAngelis.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator DeAngelis is recognized.

14. SENATOR DeANGELIS:

15. Are we following the sheet?

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Yes, Senator.

18. SENATOR DeANGELIS:

19. Thank you, Mr. President, and members of the Senate. I'm
20. happy to announce that Amendment 25 does not increase the budget.
21. I'm sad to announce that it doesn't decrease it. What it does,
22. is changes something that was done in Amendment No. 13 in the House.
23. The House chose to line item the operations for deaf and blind
24. people, and separated two out of about fifteen disabilities by
25. line item. A handout sheet was given to you yesterday, and I'm
26. hoping that you all got an opportunity to read it, but basically
27. what it says, is the...is what the House accomplished would result
28. in increasing administrative costs, reduce flexibility, and ultim-
29. ately reduce service. I can appreciate an entitlement group
30. wanting higher priority than another entitlement group. But along
31. with all the problems, it would create...it moves away from the
32. general direction of the congressional desire for more group
33. funding, and giving more flexibility. I'll be happy to answer
any questions.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Discussion? Senator Netsch.

3. SENATOR NETSCH:

4. Thank you, Mr. President. I rise in opposition to the amendment.
5. To some extent we went through this at the committee level, where
6. I had offered an amendment that would also break out the casework
7. part of the appropriation between the blind and the deaf services.
8. I recognize the desire of those who run the agency to have maximum
9. flexibility. Anyone who is in a government agency obviously wants
10. that, but it seems to me that the...the blind people particularly,
11. have been fighting this battle for a long, long time, they had
12. wanted a really separate agency at one time, they were never suc-
13. cessful in achieving that. They have always believed that they
14. have not been able to get maximum effect from the department, or
15. at least, they have not been able to identify properly that which
16. is being spent on their services. Now, admittedly, it would...it
17. would be better if the casework were that way, also. And I chose
18. not to offer that amendment on the Floor since it was defeated in
19. committee. But it seems to me the House considered this quite
20. extensively, and decided that this was, at least, one way in which
21. their concerns could be met without in any way hamstringing the
22. department. And for that reason, it seems to me, it ought to be
23. left as the House sent it over. And I would hope that the amend-
24. ment would not be adopted.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Hall.

27. SENATOR HALL:

28. Thank you, Mr. President, and Ladies and Gentlemen of the...
29. will the sponsor yield for a question?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Indicates he will yield. Senator Hall.

32. SENATOR HALL:

33. Senator DeAngelis, you know when you're talking about blind and

1. deaf, it...it really touches a tender spot. Now, am I to believe
2. that by not...when Senator DeAngelis can get free. Can you hear
3. me?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. May we have some order, please.

6. SENATOR HALL:

7. Now, I'm looking at this, it says...if...when...if...if
8. they run out of money...in other words, to make it short, it
9. said last time, last year some time, or probably this year in
10. this biennium, that if they had not...if this had been line
11. itemed, they would not have been given the service to the blind
12. and...and to the deaf, is that correct? Is that the reason that
13. you want to take this out?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator DeAngelis.

16. SENATOR DeANGELIS:

17. Well, that could have been possible. I think the example
18. that was referred to in the handout though, is that they would
19. have run out of their travel money had this been, in fact, line
20. itemed. You do lose that flexibility. There are many people that
21. serve the rehabilitation services in general that can be moved
22. from one area to the other area. That's correct in general, yes.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Hall.

25. SENATOR HALL:

26. Well, I was...I'm getting conflicting things. In other words,
27. what I'm trying to get, I want to vote for what's best for the...
28. the deaf and the blind, I want to vote to give the best service.
29. Now, I'm listening to Senator Netsch, and she says that...that
30. this doesn't...it won't have that effect, but I wanted to be
31. assured that I was voting the correct way.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Further discussion? The question is on

1. the motion...Senator Grotberg.

2. SENATOR GROTBORG:

3. Maybe I can help clarify this matter. In committee, the
4. department...I think the strongest request they had was to keep
5. the blind and deaf appropriation lines together, in all due deference
6. to those who are supporting...or opposing this amendment. Amendment
7. No. 25 brings the two together to give flexibility to both sides
8. of that disability equation, the blind and the hearing impaired,
9. and the visually impaired. And the director made a very good case,
10. I thought, for the need for...for the flexibility...a lot of this
11. is State-wide, in effect, it's not all in the institutions, and
12. they just have to have this flexibility. So, I would urge everyone
13. on our side of the aisle, at least, I don't think it's a partisan
14. thing, Senator Netsch, in the first place. But I would urge
15. everyone in the Senate to support the flexibility of the Director
16. of the Department of Rehab Services to be able to adequately serve
17. both the hearing impaired, and the visually impaired, and he can
18. do it best by putting these two lines back together because
19. otherwise he'll be back for transfers, and for supplementals
20. one way or the other before the year is out. If that helps to
21. clarify, thank you very much. And I would urge the support of
22. the amendment.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? The...further discussion? The question
25. is on the...Senator DeAngelis, do you wish to close?

26. SENATOR DeANGELIS:

27. Yes, I think I should point out, that this is a request of the
28. department. It is a bad precedent to start...to start line iteming
29. disabilities. We are moving away from what, I think, we should
30. be doing more of, we lose the flexibility, we increase the admin-
31. istrative cost, and we don't, in fact, ultimately provide the
32. service that the department is designed to do. I urge your support
33. on this important amendment.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is on the adoption of Amendment No. 5...25.
3. Those in favor say Aye. Opposed Nay. The Ayes...the Ayes have
4. it. You want a wish...roll call, Senator Netsch? Senator Netsch
5. requests a roll call. Those in favor of...Amendment No. 25 shall
6. vote Aye. Those opposed will vote Nay. The voting is open. Have
7. all voted who wish? Have all voted who wish? Have all voted
8. who wish? Take the record. On that question, the Ayes are 33,
9. the Nays are 21. Amendment No. 25 is adopted. May I have the
10. attention of the Body, please. Due to a clerical error in our
11. late work last night, a miscalculation was made on the numbering
12. of the amendments on this particular bill. And with leave of
13. the Body, the rollcalls that were registered for the following
14. amendments will be applied to the amendments as read by the Chair.
15. The roll calls on Amendment 21 will apply to Amendment No. 26.
16. The roll call as announced on Amendment No. 26 relates to Amendment
17. No. 21. The roll call on Amendment No. 27, relates to the roll
18. call on Amendment No. 22. The roll call on Amendment No. 28,
19. relates to the roll call on Amendment No. 23. The roll call on
20. Amendment No. 29, relates to the roll call on No. 24.
21. And the roll call on Amendment No. 30, relates to the roll call
22. on Amendment No. 25. All right, and for the edification of the
23. membership, we had five amendments last night that were not
24. adopted, and rather than this amendment being No. 25, it is, in
25. fact, Amendment No. 30. And so the Chair has been off five numbers
26. since we started with Amendment No. 21. Amendment No. 21 which
27. we considered today was really Amendment No. 26, it has no impact
28. whatsoever on what this Body has considered, it's merely an announcement
29. that the roll calls that related to Amendments 21, 22, 23, 24, and
30. 25 were in fact as announced by the Chair relating to Amendments
31. 25...26, 27, 28, 29, and Amendment 30 which we just considered.
32. Last evening we considered five amendments which were not picked
33. up, and we started with the wrong number, that's all the impact
of that was. So, we've adopted Amendment No. 30, which was

1. Senator DeAngelis' last amendment. Further amendments?

2. SECRETARY:

3. Floor Amendment No. 31 by Senator Marovitz.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Marovitz on Amendment No. 31. Senator Marovitz, do
6. you...all right.

7. SENATOR MAROVITZ:

8. Thank you, Mr. President, and Ladies and Gentlemen of the
9. Senate. This is a million five for sixteen mental health centers
10. in the City of Chicago that will have to close and cut back on
11. services, and consolidate unless they have this money to service
12. the adolescent, the senior citizens, and the indigent. And
13. we really need this money to keep the services for these people.
14. at the quality level that it is now, otherwise we will have to
15. close sixteen, or at least, many of these mental health centers
16. in the City of Chicago. And I would solicit your Aye vote for
17. this important amendment.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator...discussion of the motion? Senator Grotberg.

20. SENATOR GROTBORG:

21. Well, thank you, Mr. President. Amendment No. 31 last night
22. appeared before us for a million five hundred and some thousand
23. dollars, now appears tonight as a million four hundred thousand.
24. They thought that they could probably buy us off for a hundred
25. thousand dollars, I don't think that should be the case. This
26. amendment has to do with a twenty-five percent cut back in the
27. City of Chicago's corporate fund that they used to receive, in
28. the meantime, our distinguished administration in FY'82, all
29. community mental health centers received an eight percent in-
30. crease from the Department of Mental Health. The government...
31. the Governor made no cuts affecting the funding of the existing
32. programs. The need for the money in Senate Amendment No. 31
33. arises solely from the shortfall of the City of Chicago. And I

1. would suggest that we reject it out of hand.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Schaffer.

4. SENATOR SCHAFFER:

5. Well, I guess I just want to echo Senator Grotberg's comments.

6. This is unbudgeted money, and I don't think it's a Governor's
7. cut at all. I'm not sure who was funding these agencies before
8. this, but it's clearly not in the budget, and should be resisted.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? Further discussion? Senator Marovitz
11. may close.

12. SENATOR MAROVITZ:

13. Well, I think the key element to this, is priority. This is
14. service to people who otherwise will be on the streets, who will
15. have no place to get service, alcoholism treatment, adolescents,
16. community day care treatment, out-patient care treatment, after
17. care outreach, and if our commitment as Legislators isn't to those
18. in this kind of situation, in dire need of care and service, then
19. I don't know what we're doing here in the first place. We talk
20. about a lot of pork, we stand up here and talk about a lot of
21. pork, and a few jobs, and that's what we talk about, administrative
22. positions. But when we talk about service to people, I think that's
23. the most important thing, and I think it's time we put our priorities
24. in order. And I would ask for an Aye vote on this amendment.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The motion is to adopt Amendment No. 31. A roll call is
27. requested. Those in favor will vote Aye. Those opposed will vote
28. Nay. The voting is open. Have all voted who wish? Have all
29. voted who wish? Have all voted who wish? Take the record. On
30. that question, the Ayes are 27, the Nays are 30. The motion to
31. adopt Amendment No. 31 is lost. Further amendments?

32. SECRETARY:

33. Floor Amendment No. 32 by Senator Bowers.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Bowers on Amendment No. 32.

3. SENATOR BOWERS:

4. Thank you, Mr. President. Amendment No. 32 appropriates
5. two hundred and fifty thousand dollars to the department for
6. use for...for emergency psychiatric services for DuPage County.
7. One of the problems we're having in DuPage County at the present
8. time, is the fact that there's no place for crisis intervention,
9. those who are...are committed out of the courts used to go to
10. Madden, Madden doesn't have a place to keep them anymore, so if
11. they are committed to Madden, they're never...they never can stay
12. there more than twenty-four hours, there simply is no place to
13. put them. The department recognizes this, and as far as I know,
14. they are in favor of this amendment, the Governor is in favor
15. of it, and I have that little magic letter from...from Doctor
16. Bob. I know of no opposition, I would move its adoption.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The motion is to adopt Amendment No. 32. Senator Marovitz.
19. SENATOR MAROVITZ:

20. This sounds very similar to the last amendment. I think we
21. just changed the county. It sounds very, very similar to the
22. last one. And I see the wisdom of your ways about fiscal re-
23. sponsibility. And I think we ought to be consistent about
24. fiscal responsibility, and this...is this in the Governor's budget?
25. 1 or 2? 7, okay. You got a letter from his mother. Okay,
26. well, I think we ought to be consistent, and since it's not good
27. enough for Cook, and it's not good enough for the City of Chicago,
28. unfortunately I guess it's not good enough for the County of DuPage.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question is on the adoption of Amendment No. 32. Senator
31. Gitz.

32. SENATOR GITZ:

33. I'm sorry, Sentor Bowers. I...I heard you discuss Madden, and

1. I really am trying to follow these amendments. If this is not in
2. Governor 1 or Governor 2, you know, I'm not particularly enamored
3. one way or the other of the Bureau of the Budget. But would you
4. please explain in simple terms for us folk what we are doing, and
5. for what...patient population, and reasons why? And then that
6. will help me decide what to do.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Bowers.

9. SENATOR BOWERS:

10. Thank you, Senator Gitz. Yes, I'll be happy to. It's two
11. hundred and fifty thousand dollars to start off with. It's for
12. crisis intervention cases. The courts in DuPage County have no
13. place to send people who are in need of immediate psychiatric
14. help. In other words, some sort of immediate incarceration. They
15. had been sending them to Madden Zone Center, there is no room in
16. Madden anymore. Once in awhile they can get them into Madden,
17. they never can stay more than twenty-four hours. So, that there
18. is simply no place to put these people. These dollars are for
19. the purpose of contracting for a place to put the people who are
20. in need of short-term immediate mental treatment. Now, in terms
21. of the budget, the department has signed off on it, the Governor
22. has signed off on it, and it's not in either Budget 1 or Budget
23. 2, or 10 or 12. We do have a letter which has been the normal
24. procedure as far as I know, where there are additions to come
25. on, we have a letter from Doctor Mandeville, in which he endorses
26. this provision. That letter is addressed to Senator Buzbee, and
27. was furnished to him.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Marovitz.

30. SENATOR MAROVITZ:

31. I apologize for standing a second time, but I've learned some more
32. wonderful information about the County of DuPage, which already
33. receives 2.2 million dollars for mental health services a like...

1. the kin of which we are talking about here. This money would
2. go for additional funds for psychiatrists, and increase in funds
3. for psychiatrists, which is one of the things that the last
4. amendment was also going to go for. DuPage is getting a sub-
5. stantial amount of money, and if there are no cuts involved,
6. this is additional money. And if they can't do with what they're
7. getting, well, I mean, if we're going to be consistent let's
8. do it around the State, they get 2.2 million dollars now, this
9. is additional revenue. And this is for emergency psychiatric
10. services which was the last one for sixteen mental health centers
11. for people that need emergency psychiatric services. Why should
12. it be good for those, and not good for our people. Let's be con-
13. sistent.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Bowers may close.

16. SENATOR BOWERS:

17. Well, in answer to the last speaker...

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator, I'm sorry...Senator...Senator Bowers, hold on.

20. Senator Gitz.

21. SENATOR GITZ:

22. I'm sorry, I wanted to...to finish the questions. Senator
23. Bowers, is this only in DuPage County?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Bowers.

26. SENATOR BOWERS:

27. Yes, but I'd like to sneak...yes.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Gitz.

30. SENATOR GITZ:

31. Okay, my next question is this, DuPage happens to be one of
32. the wealthier counties in the State, now I was asked not to support
33. the last amendment which I did. And so my question to you then,

1. is considering some of our prior action on some of these amendments,
2. on what basis then do we provide this service out of State funds
3. in DuPage as opposed to allowing them to do so at the behest of
4. the municipalities or county board. I recognize it...it's been
5. signed off on, but I would be kind of curious...to that rationale.
6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Bowers.

8. SENATOR BOWERS:

9. Well, it's my understanding that the other counties do have
10. facilities that they can get access to. We simply do not have
11. them as far as our court cases are concerned. In addition, and
12. this sort of relates to the little speech that Senator Marovitz
13. made, we get the lowest per capita dollars out of this department
14. of any...any county in the State of Illinois. At least, that's
15. what I've been told. So, this is not any big boondoggle for
16. DuPage County, and I would say to you, that Cook County gets way
17. and above the dollar per person than we get in this particular
18. field, and as far as this department is concerned. Now, I...I
19. don't have those figures at my fingertips, and...but I have been
20. reliably informed that that's a fact.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The question is on the adoption of Amendment No. 32. Senator
23. Buzbee, he was...I think Senator Bowers was closing.

24. SENATOR BUZBEE:

25. I realize that Mr. President. He...he said something in his
26. closing statement though that has to be addressed. And that is,
27. that we did, in fact, in committee, add 1.2 million dollars on to Region
28. 2 for mental health community service centers, which was added
29. on in committee. Now, I don't know if that's specifically addressed
30. to the problem you're talking about, but there has been 1.2 million
31. added on for Region 2, two hundred thousand for Region 1B, I
32. believe, and two hundred thousand for Region 5 for mental health
33. services for the community agencies.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Bowers.

3. SENATOR BOWERS:

4. Thank you for permitting me to reply. No, it has nothing
5. to do with it, those were for developmentally disabled children,
6. this is for...this is for people who...who need immediate treat-
7. ment because of mental illness.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator DeAngelis.

10. SENATOR DeANGELIS:

11. To verify with Senator Bowers. I put that amendment on, it's
12. exclusively for DD.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Further discussion? The question is on the adoption of Amend-
15. ment No. 32. Is there a request for a roll call? Is there a request
16. for a roll call? Those in favor will vote Aye. Those opposed
17. will vote Nay. The voting is open. Have all voted who wish?
18. Have all voted who wish? Take the record. On that question, the
19. Ayes are 27, the Nays are 30. The motion to adopt Amendment No.
20. 32 is lost. Further amendments?

21. SECRETARY:

22. Amendment No. 33 by Senator Dawson.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Dawson is recognized.

25. SENATOR DAWSON:

26. Mr. President, and Ladies and Gentlemen of the Senate. Amend-
27. ment 33 transfers 5.6 million dollars from the department central
28. operating division for...for clinics and out-patient grants. I
29. feel that we gave them back the nine million, 5.6 of it should
30. be...for...for the people themselves. And I ask for a favorable
31. roll call.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is to adopt Amendment No. 33. Discussion? Senator
Keats.

1. SENATOR KEATS:

2. Thank you, Mr. President. I would ask my Republican
3. colleagues to support Senator Dawson. I would mention to you
4. not one penny of this comes out of the poor people. This
5. does not touch one single person that is on public aid, but
6. it does hit the poverty bureaucracy. Maybe if we're going
7. to say we should have a truly compassionate society, we
8. should be sure that we send the money to the people who are
9. in need, not to those who are living off the people who are
10. in need. In that case, I would ask you to support Senator
11. Dawson.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Senator Buzbee.

14. SENATOR BUZBEE:

15. Well, Mr. President,...it doesn't make any difference to
16. me, because I don't have that many public aid recipients in my
17. district. My people tend to be the working poor. I do have a
18. few,...but...but my...my people tend to be people who work
19. and a lot of them would...would be a lot better off probably
20. financially if they were on public aid. But the fact of the
21. matter is, if you do have any folks in your districts, and
22. I would particularly...I would particularly address this to
23. those members from the City of Chicago who have high rates
24. of public aid recipients in their districts and particularly
25. address it to those people in downstate communities who have
26. high rates of...of public aid recipients in their districts,
27. that if you want to provide the public aid that is necessary
28. to those recipients, you had better vote No on this amend-
29. ment. Because what you're doing is, and I don't care how
30. many people you cut out of the Department of Public Aid,
31. personally...how many employees, but the fact of the matter is,
32. the caseloads are growing unbelievably. We just, a couple
33. of days ago, added eighty-seven million dollars in the grant

1. lines for the Department of Public Aid at the Governor's re-
2. quest because of increased caseload. We now have more public
3. aid recipients in the State of Illinois than at any time in
4. our history. And if you're going to have people going on
5. public aid, you've got to have social workers there to assist
6. them, you've got to have people in those offices, you've got
7. to have...you've got to have Child Support Division, you've
8. got to have Social Services Division, you've got to have Medical
9. Division, you've got to have Field Division, you've got to
10. have Food Stamps Division. Now, if you want to do this,
11. you're going to take five million dollars out of those kinds
12. of services that are provided by the department. You're also
13. going to put it into areas where they will not be spent. This
14. money will not be spent if you put it into those medical lines.
15. We have been working for days with the department and with all
16. of the medical service...medical provider groups and we have
17. come to an agreement. As unbelievable as it may seem when we
18. started polls apart, the Republican spokesman, the Democratic
19. spokesman, the department and the medical providers are all
20. in agreement that we have provided the sufficient funds to
21. be able to provide those medical services to poor people that
22. some of us on this side of the aisle didn't think were going
23. to be provided unless we reached some sort of a compromise.
24. We reached that compromise. The medical service providers
25. were the ones who were a part of the compromise and if you
26. put this money...transfer it from the operations of the
27. department, you are going to keep poor people from getting
28. services and you're going to put it into medical lines that
29. simply will not be spent, because this budget is formula
30. driven. Rules are in the process of being promulgated by the
31. department right now to implement these agreements that were
32. reached in the compromise. There...there will be legislative
33. language that Senator Carroll will offer on a...on the compromise

1. and the department is writing rules. So, if you're mad at
2. poor people, then, I guess, maybe you ought to vote for this
3. ...for this amendment. Thank you, Senator Johns, I'm finished.
4. I'll...I'll...relinquish the last of my time to you.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The following Senators have sought recognition to speak
7. on this amendment: Hall, Newhouse, Totten, and Schaffer.
8. Senator Hall.

9. SENATOR HALL:

10. Thank you, Mr. President and Ladies and Gentlemen of the
11. Senate. I think that we can use some of these...take some of
12. these people off of public aid if we need to put more case
13. workers and things in there. I think...there's a lot...of
14. students out of school, there's a lot of students that have
15. finished college and can't find jobs and I don't know why
16. we got so many people on aid. It's plenty of...parents have
17. sent their children to school, and maybe they got one or two
18. years of college. It don't have to be such a restrictive
19. thing that we could hire some of these people. You mean to
20. tell me that people can't interview. A high school graduate
21. can fill some of these positions. I'm for taking and I
22. certainly don't want to penalize the people on public aid,
23. but I think we can find some jobs and I think this money
24. ought to be restored to the people that really need it.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Newhouse.

27. SENATOR NEWHOUSE:

28. Thank you, Mr. President. I...I want to clear up what
29. I think might have been a...a misconception. Senator, in
30. your remarks you said that the people in your district tend
31. to be the people who work and I don't think you quite meant
32. it the way it came out, 'cause I think people tend to work
33. all over. Yes, I have a fairly large number of public aid

1. people in my district and recently when Jewel-Osco opened up
2. its store and started hiring there were three thousand people
3. outside that door who wanted to be employed...who wanted to
4. work. So, it isn't a question of whether or not people want
5. to work, it's a...question, basically, of whether the jobs
6. are there. Now, we had an amendment here a few minutes
7. ago that would have eliminated forty jobs and thirty-nine
8. of those forty people might have been on those rolls the next
9. week or whenever their unemployment checks ran out. So, I
10. think that your remarks might have been misconstrued, in
11. which case I hope this clarifies it. If it doesn't, then
12. I'm sad that you took off on that direction. Now, the
13. problem, of course, is that we want to get the money to
14. the people who can utilize it and the question we have to
15. resolve is how much of it needs to go to administration and
16. how much needs to go into the pockets of the people that are
17. there. I...I suspect that what is on the minds of many of
18. us is, the degree to which we raised the salaries of those
19. who are serving and the degree to which we did not raise
20. the income to those who have to spend it for bread and butter
21. and milk. That's the kind of equation we have to resolve
22. and I think each has to resolve it in his own mind on this
23. bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Totten.

26. SENATOR TOTTEN:

27. Thank you, Mr. President and Ladies and Gentlemen of the
28. Senate. I rise in support of this amendment. It wasn't too
29. long ago, I guess Senator Keats put it the best way, I heard
30. a...a black economist talk about the problems we're having
31. with the poverty programs and he referred to the skim that
32. is happening in these programs as the poverty pimps, because
33. the only people who are really making out are the people who

1. are administering the programs and the providers who are
2. under contract to...provide the services and the people who
3. are really getting hurt are the people for whom we intend the
4. aid to reach. This amendment reverses that process. It takes
5. the money from the poverty pimps and gives it to the truly
6. needy and I think that's the direction we ought to be going.
7. This is a good amendment and it deserves our support.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Schaffer.

10. SENATOR SCHAFFER:

11. Well, Senator Buzbee and Senator Newhouse, my district
12. is populated by those great people from the great middle
13. class, honest God fearing people whose only bad habit is
14. making obscene gestures at empty RTA busses. But on the
15. amendment...I would only respectfully point out than an
16. earlier amendment packed in thirty-seven million dollars
17. to the Outpatient Line Item...putting it...thirty-seven
18. plus over...the Governor's Budget 2 packed twenty-two
19. million into the Outpatient...the Clinics Line Item. I
20. don't think they can spend the money you're transferring
21. in unless they decide to burn it to heat the building. I
22. mean, boy, I love kicking public aid as much as the next
23. guy. It's...it's almost as much fun as kicking the RTA, but...
24. realistically, guys,...the House zapped the Personnel line
25. item, we zapped them,...this is the triple zap. I think we're...
26. starting to deal in overkill and ironically it's overkill that
27. puts money where it isn't needed. I...I guess we're going to
28. do what we want to do, but we're only kidding ourselves if we
29. vote for this amendment. But...you know, that's the process.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Johns.

32. SENATOR JOHNS:

33. Well, I just...I just understand there's about three

1. hundred some odd jobs in this thing and...I just didn't see
2. it myself.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Buzbee.

5. SENATOR BUZBEE:

6. For a second time, Senator Newhouse,...you are correct.
7. I did not mean my remarks to reflect that...people were on
8. public aid because they didn't want to work. Sometimes we
9. tend to have short memories around here. I'm sure that
10. you'll remember that every...recipient cost of living in-
11. crease that we have ever proposed in this General Assembly
12. I have, in fact, supported. In fact, a couple of times I've
13. been a part of the process of trying to get that public aid...
14. recipient cost of living increase through. I...Senator Totten
15. made some remarks which...which I thought were exactly right
16. on. The only thing is he's putting more money to those
17. very folks that he called...that he called the pimps. I...I
18. don't call them that, but they are medical providers. This
19. amendment changes money from low paid social workers to
20. medical providers. And as Senator Schaffer has pointed out,
21. in the compromise those two areas where we're putting this
22. additional money has already been packed up significantly.
23. and it's been reduced in the Hospital lines and this has
24. been worked out as an agreement. Now, again, if you don't
25. want folks to be able to get public aid, I guess you ought
26. to vote for this amendment, because they're not going to get
27. public aid if you vote for this amendment, because there
28. aren't going to be the people there necessary to fill out
29. the forms and to go do the...the case history to see if they
30. are eligible for public aid.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Dawson may close.

33. SENATOR DAWSON:

1. Mr. President and Ladies and Gentlemen of the Senate, I
2. feel this is needed. When we can have people go into out-
3. patient clinics, it's saved in quite a few other areas and
4. I ask for a favorable roll call for the betterment of the
5. working people and...and the people on public aid...and I
6. ask for a favorable roll call.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The question is, shall House Bill...the question is shall
9. Amendment No. 33 to House Bill 588 pass. Those in favor vote
10. Aye. Those opposed vote Nay. The voting is open. Have all
11. voted who wish? Have all voted who wish? Take the record.
12. On that question, the Ayes are 39, the Nays are 20,...37, the
13. Nays are 20. Amendment No. 33 to House Bill 588 is adopted.
14. Further amendments, Mr. Secretary?

15. SECRETARY:

16. Floor Amendment No. 34, by Senator Grotberg.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Grotberg is recognized.

19. SENATOR GROTEBERG:

20. Thank you, Mr....thank you, Mr. President. I have a
21. parliamentary inquiry, Mr. President.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. State your point.

24. SENATOR GROTEBERG:

25. My point would be, if there are many more amendments, then
26. would you please announce, Mr. Clerk, as to what department of
27. State Government these represent, because...you don't have any
28. knowledge of it, I guess. We're now back to the Department of
29. Rehab. Services, is that what we're talking about?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Well, Senator, the Secretary only...

32. SENATOR GROTEBERG:

33. He only reads...I understand. Alright.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. That's right. And he all...

3. SENATOR GROTEBERG:

4. Is this an eighty thousand dollar transfer?

5. SECRETARY:

6. This is an eighty thousand...yours is easy.

7. SENATOR GROTEBERG:

8. Right, mine is easy. It always is.

9. SECRETARY:

10. These are difficult.

11. SENATOR GROTEBERG:

12. Well, thank you, Mr. President and Mr....Mr. Secretary
13. and fellow members. This is a transfer in the Department
14. of Rehabilitation Services from their...Administration and...
15. Contractual Services Line of eighty thousand dollars and it
16. is for the...to continue the Innovation and Expansion Grant
17. for independent living in community based agencies as contracted
18. for through the Illinois Association of Rehab. Services and I
19. move the adoption.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Grotberg has moved the adoption of Amendment No.

22. 34. Discussion of the motion? Senator Buzbee.

23. SENATOR BUZBEE:

24. See if I can help you on this one, Senator Grotberg.
25. I rise in opposition to it. This amendment transfers eighty
26. thousand dollars in General Revenue from the Contractual
27. Services Line in Administration to the Independent Living Grant
28. Line to continue "an innovation...innovative and expansion
29. program" for independent living in community based agencies.
30. I...we tried this...or you tried this, I think, in committee
31. or you talked about it or something. I don't know. Anyhow,
32. ...I'm opposed to it. Maybe I'll try to help you get it on.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. I want to remind you that we are setting the timers
2. and I hope you'll...look at the timer, set your speech
3. accordingly. Senator DeAngelis.

4. SENATOR DEANGELIS:

5. Thank you, Mr. President. I...I rise with great re-
6. luctance and very little trepidation with the greatest respect
7. for our leader, who's labored so well, as Senator Buzbee has
8. pointed out. He tried this in...in committee, it failed. It, too,
9. is a bad precedence to take money from an agency and give it
10. to a group who comes down here and, though treats us well,
11. should really provide for itself.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Schaffer.

14. SENATOR SCHAFFER:

15. While I'll admit that the amendment has a certain
16. nostalgia, particularly on this side of the aisle,...it
17. is devoid of merit and...probably will lock us eventually
18. into a lot of dollars and a new program...and I don't think
19. we necessarily ought to be getting...moving in that direction
20. this year and I respectfully...request that it not be adopted.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Gitz.

23. SENATOR GITZ:

24. A question of the sponsor.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. He indicates he'll yield.

27. SENATOR GITZ:

28. Again, forgive me, Senator Grotberg, but there's a dull
29. roar around here and there are a few of us, actually, who like
30. to know what's in the amendments. Now, as I understand it,
31. we're in the Department of Rehabilitation, right, and we're
32. transferring money, as I heard it, from Administration to
33. where, for what purpose and what amounts? If you could just

1. kind of elucidate on whether there's any dollar changes in
2. the rationale and where you're going from, what's going to
3. get out of that budget and where it's going to. That would
4. kind of help some of us follow what you're doing.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Grotberg.

7. SENATOR GROTEBERG:

8. Well, thank you,...Senator Gitz. That's a very intelligent
9. question and I'm sorry you weren't listening the first time,
10. but I'll try to be as brief as I can. It's a transfer to
11. the Grants in Aid Line to finance the independent living
12. studies and innovation expansions for independent living in
13. community based agencies. In Aurora, Illinois we have the
14. AID Program, a huge community program, in Pontiac we have a
15. huge one and I'm sure in each one of your districts you have
16. one or more. And these...this is the study group that goes
17. out and turns the switches and kicks in the private enter-
18. prise system to help these people along. So, I have no
19. regret for offering it. As to those who made a studied
20. reference on the problem of this in committee,...the amendment
21. literally was...was mistakenly presented as a GRF appropriation
22. add-on and then it came back in committee as a transfer. I'm
23. keeping it as a transfer and I would suggest an Aye vote.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there further discussion? Was that your closing state-
26. ment, Senator Grotberg? The question is, shall Amendment No. 34
27. be adopted. Those in favor will vote Aye. Those opposed will
28. vote Nay. The voting is open. Have all voted who wish? Have
29. all voted who wish? Take the record. On that question, the
30. Ayes are 6, the Nays are 39, none Voting Present. Amendment
31. No. 34 having failed to receive a majority is declared lost.
32. Is there further amendments?

33. SECRETARY:

1. Amendment No...Floor Amendment No. 35, by Senator Jerome
2. Joyce.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Joyce.

5. SENATOR JEROME JOYCE:

6. Thank you, Mr. President. This is an appropriation of
7. three million seven...or fifty-seven thousand. It adds three
8. million two hundred and sixty-three thousand to the FY '82
9. ...appropriation for the Shapiro Developmental Center to care
10. for an additional hundred and twenty-five residents. In the
11. original budget, forty of these...residents were to be moved
12. to a newly rehabilitated building in Howe Developmental
13. Center,...but...but that's not going to happen, and funds
14. budgeted for the care of these forty residents were deleted
15. from the Howe appropriation of two hundred and five thousand.
16. The remainder of the residents, eighty-five, were to have
17. been deinstitutionalized as a part of...DMH...DD Compliance
18. Plan, but community placement has not been found. Now, the
19. Governor has approved of this additional...budget.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there any further discussion? If not,...Senator
22. Grotberg.

23. SENATOR GROTBORG:

24. ...just to verify everything the Senator has said. It
25. is approved.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. If there is no further discussion,...Senator...Bowers.

28. SENATOR BOWERS:

29. I'm...do you have a letter from Doctor Mandeville?

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator Buzbee.

32. SENATOR BUZBEE:

33. Joyce...Joyce.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Oh,...Senator Joyce.

3. SENATOR JEROME JOYCE:

4. Yeah, don't put Buzbee on. Yes, I do, but I'm not going
5. to show it to you.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Bowers.

8. SENATOR BOWERS:

9. Gee, mine was just a little, measly couple thousand
10. dollars and I had a letter too that didn't do any good.

11. Is Kankakee County bigger or smaller than DuPage and richer
12. or poorer, that's all I want to know.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Joyce.

15. SENATOR JEROME JOYCE:

16. Forget it.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Further discussion? Senator Buzbee.

19. SENATOR BUZBEE:

20. Yes, thank you. We do have a letter on this, as a matter
21. of fact. We've had it for some two weeks. We just got yours
22. this afternoon, Senator Bowers. This is something the Governor
23. has approved. It's been worked out as a compromise arrange-
24. ment...to...accommodate...Kankakee County and...and the problems
25. that they have there. Take that anyway you'd...you'd like
26. and I think it's a good idea and ought to be voted Aye.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Maitland.

29. SENATOR MAITLAND:

30. Well, thank you, Mr. President. I think there's one
31. Republican Senator, to the best of my knowledge at least, that's
32. been ripped-off and I have...I have a similar situation at
33. Lincoln, I think, and...and I questioned, Senator Joyce, as I

1. think you did,...the...the lack of...or the reduction in patient
2. load there going to community based centers and they assured me
3. that everything was on target and I didn't object to...to my
4. Governor too loudly, but I guess for some reason I should have.
5. And...if I'm off track here someplace, somebody please tell
6. me, but that same Governor will find out about this, I'm sure.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Joyce may close debate.

9. SENATOR JEROME JOYCE:

10. Yes, it is in the...it, you know, has the approval of
11. the department and the Governor. And I'd ask for a favorable
12. roll call.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. The question is, shall Amendment No. 35 be adopted. Those
15. in favor will vote Aye. Those...those opposed Nay. The Ayes
16. have it. Amendment No. 35 is adopted. Any further amendments?

17. SECRETARY:

18. Floor Amendment No. 36, by Senator Grotberg. And it...
19. Senator Grotberg, it's the one for eight million six hundred
20. and seventy-nine thousand three hundred dollars.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Grotberg.

23. SENATOR GROTEBERG:

24. Be patient, sports fans, I think the Secretary is mixed up.
25. What's the dollar amount, Mr. Secretary?

26. SECRETARY:

27. ...Region 2 Field Service is what it is.

28. SENATOR GROTEBERG:

29. Oh, that's a technical amendment, no dollar change.
30. Absolutely true. Right. I move the adoption.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there any discussion? If not, the question is, shall
33. Amendment No. 36 be adopted. Those in favor will vote Aye.

1. Those opposed vote Nay...or signify by saying Aye. Those opposed
2. Nay. The Ayes have it. Amendment No. 36 is adopted. Any
3. further amendments?

4. SECRETARY:

5. Amendment No. 37, by Senator Buzbee.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Buzbee.

8. SENATOR BUZBEE:

9. We're...we're going to check to make sure that we got
10. the right amendment. Page 1, line 25?

11. SECRETARY:

12. Yes.

13. SENATOR BUZBEE:

14. Okay. This is...addresses the Department of Children and
15. Family Services. In...working...with...the Bureau of the
16. Budget, we have actually added back less than the Bureau of the
17. Budget asked us to...to add back. We have the director's con-
18. currence in this. It's a total add back of...one million one
19. hundred eighty-nine thousand six hundred dollars. That's a
20. hundred and eighty thousand dollars to phase-in fifteen staff
21. for three months rather than the sixty staff phase-back in
22. Senate Amendment No. 12. It's a hundred and sixty-three thousand
23. dollars to accept the department's reduction in funds to implement
24. a ten to one supervisory ratio. It's a...one dollar for an
25. executive position to implement demonstration projects for a
26. prevention...diversion system. It's one hundred thousand dollars
27. of one hundred and seventy-eight thousand in Travel reductions
28. made in Senate Amendment 12. It's sixty thousand of eighty-
29. six thousand eight hundred in Telecommunication reductions made
30. in Senate Amendment No. 12, five hundred and sixty-eight thousand
31. one hundred in Personnel and Child Abuse Investigations to
32. account for the estimated number of child abuse reports. And
33. I would move its adoption.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there any discussion? Senator Grotberg.

3. SENATOR GROTBORG:

4. Thank you, Mr. President and fellow members. I would ask
5. ...Senator Buzbee,...is there a...a second DCFS amendment or
6. is...there only this one?

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Buzbee.

9. SENATOR BUZBEE:

10. No, not at this time, Senator. That will have to be
11. worked out in Conference Committee.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Grotberg.

14. SENATOR GROTBORG:

15. Yes, I thought maybe, Senator Buzbee, this might be a time
16. to share with the whole Body, we are all getting inundated by
17. the group home people, the day care people, everybody you can
18. imagine on DCFS. We've had deep consultations most of the
19. afternoon and I think you can tell all of your constituents
20. if they'll just be patient for forty-eight hours, that...that...
21. the systems...the kid systems of Illinois will probably stay
22. intact due to a lot of cooperation...on both sides of the
23. aisle and...with these amendments and probably some more
24. coming in...as we get over to the House. Is that...would you
25. agree with me on that,...Senator Buzbee? And I would move that...
26. everybody put this amendment on.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there further discussion? Senator Demuzio.

29. SENATOR DEMUZIO:

30. Well, thank you, Mr. President. I'll be patient.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. ...no further discussion, Senator Buzbee may close.

33. SENATOR BUZBEE:

1. Favorable roll call.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. The question is,...all those in favor of adopting Amend-
4. ment No. 37 to House Bill 588 signify by saying Aye. Those
5. opposed. The Ayes have it. Amendment No. 37 is adopted. Any
6. further amendments?

7. SECRETARY:

8. No further amendments.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. 3rd reading. House Bill 591, Senator Weaver. Senator
11. Weaver, do you wish to bring 591 back for amendments? Read
12. the bill, Mr. Secretary. Are there...any amendments?

13. SECRETARY:

14. Senator Buzbee, do you...do you agree with me here that
15. the next amendment will be 14? Amendment No. 14, offered by
16. Senator Buzbee.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Buzbee.

19. SENATOR BUZBEE:

20. Thank you, Mr. President. This is...House Bill...is that
21. on page 1, line 3, Mr. Secretary?

22. SECRETARY:

23. Page...1, line 3, yes.

24. SENATOR BUZBEE:

25. Okay. Yes. This...addresses the...Institute of Natural
26. Resources. It is a restoration of one hundred fourteen thousand
27. eight hundred dollars. It restores to INR Personal Services
28. forty-five thousand eight hundred dollars for nine months
29. phase of vacancies in adjustment of the Pay Plan, Retirement
30. and Social Security for a total of...fifty-two thousand...
31. dollars out of the Puff Fund, it restores to the State Museum
32. thirty-one thousand two hundred dollars for Contractual and...
33. five thousand six hundred forty for Equipment for a total of

1. thirty-six thousand eight hundred and forty in GRF. It...
2. restores twenty-six thousand dollars to Geological Survey for
3. equipment from GRF. And I would move its adoption.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there any discussion? If not, Senator Buzbee moves
6. the adoption of Amendment No. 14 to House Bill 591. Those in
7. favor indicate by saying Aye. Those opposed. The Ayes have
8. it. Amendment No. 14 is adopted. Any further amendments?

9. SECRETARY:

10. Floor Amendment No. 15, by Senator Buzbee.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Thank you, Mr. President. This restores equipment to
15. the Natural History Survey eighteen thousand five hundred
16. and the Water Survey eight thousand. I would move its
17. adoption.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there any discussion? If not, Senator Buzbee moves
20. the adoption of Amendment No. 15 to House Bill 591. Those in
21. favor indicate by saying Aye. Those opposed. The Ayes have it.
22. Amendment 15 is adopted. Any further amendments?

23. SECRETARY:

24. Floor Amendment No. 16, by Senator Buzbee.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Buzbee.

27. SENATOR BUZBEE:

28. Thank you, Mr. President. This is the INR Water Survey.
29. It restores three vacant positions reduced by No. 7, a total
30. of twenty-six thousand five hundred eighty-three dollars at
31. nine months. And I would move its adoption.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there any discussion? Senator Grotberg.

1. SENATOR GROTEBERG:

2. No, that's fine.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. If not,...Senator Buzbee moves the adoption of Amendment
5. No. 16 to House Bill...Senator Newhouse.

6. SENATOR NEWHOUSE:

7. Mr. President, I have amendments filed to 588.

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator, there's nothing on the desk. Well,...let's
10. finish with this and then we can get back to that order.
11. Senator Buzbee moves the adoption of Amendment No. 16 to
12. House Bill 591. Those in favor indicate by saying Aye. Those
13. opposed. The Ayes have it. Amendment No. 16 is adopted. Any
14. further amendments?

15. SECRETARY:

16. Floor Amendment No....17, by Senator Weaver.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Weaver.

19. SENATOR WEAVER:

20. A question of Senator Buzbee. Did you put on the...three
21. positions phased...into the...Water Survey for twenty-six five
22. eight three?

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. Yes, Senator Weaver, that was the last amendment. So...

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Weaver withdraws Amendment No. 17. Senator
29. Buzbee.

30. SENATOR BUZBEE:

31. Well, I thought Senator Weaver had the next amendment,
32. which deals with the...State Museum of forty-three thousand
33. nine forty-five restoration. Oh, Senator Groteberg has that,
34. okay, I'm sorry.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Alright. Are there further amendments,...Secretary?

3. SECRETARY:

4. Floor Amendment No. 17, by Senator Davidson.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Davidson. Senator Grotberg is handling the
7. amendment for Senator Davidson.

8. SENATOR GROTBORG:

9. Yes, is that the forty-three thousand nine hundred and
10. forty-five dollars, Mr. Secretary? This amendment restores
11. that amount for the State Museum Division of Institute of
12. Natural...Resources for three positions. The hiring freeze
13. exemptions have been received for these positions, but it's
14. for, I believe, two artists and one other person in the
15. ordinary restoration work that goes on in the museum. I
16. move the adoption.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there any discussion? Senator Buzbee.

19. SENATOR BUZBEE:

20. I would...I would point out that this particular amend-
21. ment has not been approved by the Bureau of the Budget. The
22. previous ones were. This one is part of the agreement? No,
23. I didn't think so. It's...it's...it's not part of the agree-
24. ment, but is it approved by the Bureau of the Budget? I
25. don't have a letter on it.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Grotberg.

28. SENATOR GROTBORG:

29. Yeah, the exemptions have been received, the...the letter
30. can follow. I'll get one if it will help it, but I think we
31. should put it on and go ahead.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there further discussion? If not, Senator Grotberg

1. moves the adoption of Amendment No. 17 to House Bill 591. Those
2. in favor indicate by saying Aye. Those opposed. The Ayes have
3. it. Amendment No. 17 is adopted. Senator Grotberg.

4. SENATOR GROTERBERG:

5. On a point of...personal privilege. We have the letter,
6. Senator Buzbee,...physically and we will bring it to you, okay?

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Are there further amendments?

9. SECRETARY:

10. No further amendments.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. 3rd reading. Now,...Senator Buzbee, for what purpose
13. do you arise?

14. SENATOR BUZBEE:

15. Could...could you slow down just a second? We think
16. there's a technical amendment which needs to be put on...
17. We...we have...we have a technical amendment which needs to
18. ...to go on. And we...it is written, we're just looking for
19. it at the moment. Could we...if we want to get back to Senator
20. Newhouse, then come back to this one, would that be acceptable
21. procedure?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Well, no...no, I think that will just...we'll be moving
24. the bills back and forth and...

25. SENATOR BUZBEE:

26. Okay. Alright. Well,...we've got this technical amend-
27. ment which...needs to go on, so if you want to hang on just
28. a second maybe we can find it.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Further amendments? Wait...I think I've already sent
31. the bill back to 3rd reading. Is there leave to bring it
32. back to the Order of 2nd reading for the purpose of another
33. amendment? Leave is granted. On House Bill 591...on...back

AB 588
Recalled

1. on the Order of 2nd reading. Mr. Secretary, are there further
2. amendments?

3. SECRETARY:

4. Floor Amendment No. 18, by Senator Buzbee.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. Thank you, Mr. President. This addresses the Department
9. of Conservation. It's technical. It assures that there is
10. no double GRF appropriation for the Fish Hatchery System and
11. I would move its adoption.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? If not, Senator Buzbee
14. moves the adoption of Amendment No. 18 to House Bill 591.
15. Those in favor indicate by saying Aye. Those opposed. The
16. Ayes have it. Amendment No. 18 is adopted. Now, are there
17. any further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Buzbee, are there any further amendments? 3rd
22. reading. Senator Newhouse.

23. SENATOR NEWHOUSE:

24. Mr. Chairman,...I'd like to seek leave to bring 588...
25. back for the purpose of an amendment.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Newhouse...seeks leave to have House Bill 588
28. returned back to the Order of 2nd reading for purposes of
29. amendments. Senator Schaffer. Senator Schaffer...joins him.
30. Is leave granted? Leave is granted. On the Order of House
31. Bills 2nd reading, House Bill 588. Mr. Secretary, are there
32. any amendments?

33. SECRETARY:

1. Floor Amendment No. 38, offered by Senator Newhouse.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Newhouse.

4. SENATOR NEWHOUSE:

5. Thank you, Mr. Chairman. This amendment restores monies
6. for...to the Department of Rehabilitation Services. And this
7. is what it does, it restores sixty thousand in General Revenue
8. funds to capture two hundred and forty thousand in Federal funds
9. for forty front line direct service positions in the bureau.
10. These positions were previously cut from the budget. They're
11. funded for six months. It includes Personal Services, Retirement,
12. Social Security and Group Insurance. Those forty rehabilitation
13. counselors and clericals are necessary because the
14. number of applications for Rehab. Services have increased,
15. Social Security disability referrals to the counselors are
16. increasing, in home care...cases which have been placed on DRS...on
17. doors from the Department of Public Aid with no increase in
18. staff to handle them, and the number of cases increasing
19. annually. That is the reason for the...restoration of these
20. forty positions and I would ask the...the adoption of this
21. amendment.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there any discussion? Senator Schaffer.

24. SENATOR SCHAFFER:

25. Mr. President, I must rise in opposition. This is a
26. case of the Federal dollars being pulled out...and all of a
27. sudden we're trying to replace them with General Revenue funds.
28. And if our staff analysis is correct, that twenty percent of
29. Federal money that we're trying to capture...is already captured,
30. but it's captured in the...service...case services...to
31. individuals. We have our choice. We can spend that twenty
32. percent...some two hundred thousand, I guess,...on...individuals
33. or we can use it to preserve some jobs...and then we have to

1. pick up the other eighty percent of the...cost. I...you know,
2. we know we're going to have some cut backs on Federal funds
3. and this is an area that I think we can...we're going to just
4. have to bite the bullet and resist this amendment and...let
5. the money go to care of...for individuals.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? If not, Senator Newhouse
8. may close debate.

9. SENATOR NEWHOUSE:

10. Senator, the...if the funds are not forthcoming from the
11. Federal Government, and they may not be at some point, then
12. the hiring just won't take place. Our investment then will
13. be sixty thousand dollars. In that case, I think we're
14. looking...at it from a...a totally different standpoint. So,
15. I...if the funds are there, we'll spend it. If they're not
16. there, we won't. I'd ask a favorable roll call.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Did you want a roll call, Senator, or...Senator Newhouse
19. moves the adoption of Amendment No. 38 to House Bill 588.
20. Those in favor indicate by saying Aye. Those opposed. The
21. Ayes have it. Amendment No....roll call has been requested.
22. Those in favor of adopting Amendment No. 38 to House Bill 588
23. will vote Aye. Those opposed will vote Nay. The voting is open.
24. Have all voted who wish? Have all voted who wish? Have all
25. voted who wish? Have all voted who wish? Take the record.
26. On that question, the Ayes are 28, the Nays are 29, none
27. Voting Present. Amendment No. 38 having failed to receive a
28. majority vote is declared lost. Any further amendments?

29. SECRETARY:

30. No further amendments.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. 3rd reading. We're now on the Order of House Bill 621.
33. Senator Coffey, do you wish to have it recalled? Senator Coffey.

1. SENATOR COFFEY:

2. Mr. President, I sent some Pages to run off the copies of
3. all the amendments and everything I have here about fifteen,
4. twenty minutes ago. I haven't seen anything after them. I've
5. sent three Pages after them since, so I don't have anything in
6. my file.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator...Senator, we do have...an amendment offered by
9. Senator Carroll, if you want to proceed with that while we're
10. waiting or...we can take it out of the record and go to...
11. House Bill 697. House Bill 697, Senator...Rhoads. Do you
12. wish to recall House Bill 697 for the purpose of an amendment?

13. SENATOR RHOADS:

14. Senator Schaffer, do I wish to do that? I do.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. On the Order of House Bills 2nd reading, House Bill 697.
17. Are there any amendments, Mr. Secretary?

18. SECRETARY:

19. Amendment No. 15...Floor Amendment No. 15, by Senator
20. Bruce.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Bruce.

23. SENATOR BRUCE:

24. Thank you, Mr. President. This is a add back of...seven-
25. teen thousand one hundred dollars in Personal Services for one
26. ...public information officer.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there any discussion? If not, Senator Bruce moves the
29. adoption of Amendment No. 15 to House Bill 697. Those in favor
30. indicate by saying Aye. Those opposed. The Ayes have it.
31. Amendment No. 15 is adopted. Any further amendments? Are
32. there further amendments?

33. SECRETARY:

1. Amendment No....Floor Amendment No. 17, offered by
2. Senator Carroll.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President and Ladies and Gentlemen of the
7. Senate.

8. SECRETARY:

9. No. 16, I'm sorry.

10. SENATOR CARROLL:

11. Amendment No. 16 is an add back for the Department of
12. Revenue pursuant to the discussions we've had with them and
13. the Bureau of the Budget. I would move adoption and answer
14. questions.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Is there further discussion? If not, Senator Carroll
17. moves the adoption of Amendment No. 16 to House Bill 697.
18. Those in favor indicate by saying Aye. Those opposed. The
19. Ayes have it. Amendment No. 16 is adopted. Any further
20. amendments?

21. SECRETARY:

22. Amendment No....Floor Amendment No. 17, by Senator
23. Buzbee.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Buzbee...or Senator Carroll, do you wish to handle
26. it? Senator Buzbee.

27. SENATOR BUZBEE:

28. Thank you, Mr. President. After a serious consultation
29. with...several people involved,...I...I wish to withdraw this
30. amendment at this time.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Any further amendments?

33. SECRETARY:

HB 621
Recalled

1. Amendment No....Floor Amendment No. 17, offered by
2. Senator Carroll.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator...

5. SECRETARY:

6. This...sum of four thousand five hundred dollars.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. ...Senator Carroll.

9. SENATOR CARROLL:

10. Thank you, Mr. President and Ladies and Gentlemen of the
11. Senate. This is for the portrait. Unfortunately, they merged
12. the two together...President of the Senate Rock and Speaker
13. of the House Ryan. And I would half move to adopt...Amend-
14. ment No. 17. If they had separated the issue, it might have
15. been a different vote.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Is there any discussion? A roll call has been requested.
18. Senator Carroll moves the adoption of Amendment No. 17 to
19. House Bill 697. Those in favor indicate by saying Aye. Those
20. opposed. No. The Ayes have it. Amendment No. 17 is adopted.
21. Any further amendments?

22. SECRETARY:

23. No further amendments.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. 3rd reading. Senator Coffey, are you ready now? On the
26. Order of House Bills...on the recall of House Bill 621. Senator
27. Coffey, do you wish to recall the bill? He indicates he does.
28. Are there any amendments, Mr. Secretary?

29. SECRETARY:

30. Floor Amendment No. 12, offered by Senator Coffey.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Senator Coffey.

33. SENATOR COFFEY:

1. Mr. President, would you have him read the page and line,
2. please?

3. SECRETARY:

4. Alright. On...line...page 1, line 3 by deleting thirteen
5. million.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Coffey.

8. SENATOR COFFEY:

9. Yes, Mr. President and members of the Senate, Amendment
10. No. 12 has a total restoration from Amendment No. 6 of thirteen
11. million two hundred and sixty-two thousand and seven hundred
12. dollars. And I'd ask for a favorable roll call and be glad
13. to explain the lines, if they'd like.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there any discussion? Senator Carroll.

16. SENATOR CARROLL:

17. Yes,...thank you, Mr. President and Ladies and Gentlemen
18. of the Senate. I rise in opposition to this amendment. We
19. have a restoration amendment later filed. The problem with
20. this one...this is apparently where the train broke down,
21. which is not unusual for DOT. Finally, the Bureau of the Budget
22. ...to commend them in parts of this, which we have also put
23. into our restoration, did agree that the...district offices
24. are much more important than the central office and allowed
25. our shift of people from central to district, which we think
26. is very important. Also in both versions we have the restoration
27. of the needed equipment, especially out in the districts where
28. the...automobiles, plows, et cetera are so essential to an
29. operating system. The problem is, of course,...that Director
30. Kramer has asked for all the money back in central office...wherein
31. they would end up with about five-tenths of one percent cut.
32. The difference between our version and theirs is that we have
33. requested...a million dollars less be restored to central office

1. than Senator Coffey. Other than that it is basically the same
2. and I would hope that we could oppose this one and adopt the
3. other one, because, again, the money should be out in the
4. district where we all hope it will be and not to just have
5. more and more and more and more and more in the Taj Mahal.
6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Further discussion? Senator Gitz.

8. SENATOR GITZ:

9. Senator, I'd appreciate it if you'd explain where
10. your money is going. As I mention when we talked, I'm...I'm
11. happy to provide some additional money in the districts and
12. I asked for a copy of the amendment and the explanation and
13. I regret to say that I don't have it and until I know where
14. we're taking from or adding to, I don't really feel comfortable
15. in supporting a particular amendment or any of the following
16. amendments that are also filed.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Coffey. Senator Gitz.

19. SENATOR GITZ:

20. Therefore, while you're providing that material, would
21. you kindly go through what you're doing in the eight different
22. districts and what the impact of this amendment will be?
23. And, likewise, could you directly respond to Senator Carroll's
24. comment about the central office?

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Coffey.

27. SENATOR COFFEY:

28. Yes, Senator Gitz. First of all, I apologize for not
29. getting the...the copy over to you as you probably just was
30. aware I just walked in from...the Pages brought it into me
31. after running off the copies. So, I was late getting them
32. back after you made the request. First of all, it restores
33. 4....four...four billion five hundred fifty-five million

1. three hundred thousand in Equipment that was reduced by Amend-
2. ment No. 6 that was, I believe, the amendment yesterday. It
3. also restores two hundred and fifty-seven million seven hundred
4. ...thousand in Commodities in all the divisions except the Water
5. Resource Division. It also adds...one million five hundred and
6. seventy-seven thousand one hundred dollars into Contractual
7. Services. It adds eight million...eight million...8.3 million
8. to the...Cars and Trucks Line Item. And I think that...I
9. believe that's the total amount of restoration of the thirteen
10. million two hundred and sixty-two thousand seven hundred
11. dollars. To answer...Senator Carroll's question on the difference
12. between what they intend to restore and what this amendment
13. restores addresses the central administration office. The
14. original cuts...we're restoring seven hundred and...and forty
15. thousand dollars back to central office, still with a cut of
16. two hundred and fifty-seven...thousand dollars to that office
17. and we feel it's necessary to restore that to central office
18. because...I, like many of the rest of you, at times, like to
19. see central office cut down and we...I believe that the money
20. ought to go into the districts if possible. But...to cut
21. them too drastically then it could hinder the operation of
22. our Road Program, if and when we ever get one.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there further discussion? Senator Grotberg.

25. SENATOR GROTEBERG:

26. Thank you, Mr. President. Just a comment. The depart-
27. ment, of course, wanted more and more and more, as usual,
28. for central services and central office. The Bureau of the
29. Budget signed off on this amount and if there's...again, there's
30. no end to the insatiable appetite of central bureaucracies,
31. but this one has been carved down from within the administration
32. and by BOB and I would hope we could support this amendment.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Is there further discussion? If not, Senator Coffey may
2. close.

3. SENATOR COFFEY:

4. Well, Mr. President and members of the Senate, I think
5. this restoration...is a very necessary one. I feel that...
6. different than Senator Carroll that...we do need the additional
7. dollars in Central Administration Office and I would ask for
8. a favorable roll call to restore this thirteen million two
9. hundred and sixty-two thousand and seven hundred dollars...
10. back into the...DOT...Budget.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. The question is, shall Amendment No. 12 to House Bill
13. 621 be adopted. Those in favor indicate by saying Aye. Those
14. opposed. Nays...the Nays have it. Amendment No....Senator
15. Chew requests a roll call. On the adoption of Amendment No.
16. 12 to House Bill 621, those in favor indicate by voting Aye.
17. Those opposed vote Nay. The voting is open. Would you vote
18. me No, Senator? Thank you. Those in favor...have all voted
19. who wish? Have all voted who wish? Have all voted who wish?
20. Take the record. On that question, the Ayes are 39, the Nays
21. are 17, 1 Voting Present. Amendment No. 12 to House Bill 621
22. having received the...the majority vote is declared adopted.

23. Further amendments?

24. SECRETARY:

25. Floor Amendment No. 13, by Senator Carroll.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Carroll.

28. SENATOR CARROLL:

29. Thank you, Mr. President and Ladies and Gentlemen of the
30. Senate. This is a merely amendment to add to the RTA Region
31. the same type of assistance that the other mass transit carriers
32. get. That being, basically,...three-thirty-seconds of the
33. locally derived sales tax, but not to exceed one-third of the

1. operating costs of the agency. This seems to be the only
2. transportation plan in town right now and I would move adoption
3. of Amendment No. 13.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Is there any discussion? Well, let...let me read them,
6. fellas. We can start right down the line. We've got, Coffey,
7. McMillan, Davidson, Grotberg, Schaffer, Totten, Jeremiah
8. Joyce, Netsch and we'll conclude with President Rock. Senator
9. Weaver, for what purpose do you arise?

10. SENATOR WEAVER:

11. I'd move the previous question.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Weaver moves the previous question. All those
14. in favor indicate by saying Aye. Those...the Ayes have it.
15. The previous question has been moved. Roll call. On that
16. question, those in favor will vote Aye. Those opposed will
17. vote Nay. The voting is open. Have all voted who wish?
18. Have all voted who wish? Take the record. On that question,
19. the Ayes are 28, the Nays are 25, none Voting Present.
20. Amendment No. 13 having received the majority vote is declared
21. adopted. Any further amendments?

22. SECRETARY:

23. Amendment No. 14, by Senator Coffey.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Whoa, Whoa. There's been a request...I...I think I...
26. that was the vote on the...that was...that was on the adoption
27. of the amendment. Senator Netsch.

28. SENATOR NETSCH:

29. I heard a request for a roll call on moving the previous
30. question and that was what I understood was being placed and...

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. No, Senator.

33. SENATOR NETSCH:

...I think a lot of other people understood that also.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator...Senator Weaver moved the previous question, I
3. asked all those in favor indicate by saying Aye...

4. SENATOR NETSCH:

5. No,...and they said a roll call...

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. ...they indicated...

8. SENATOR NETSCH:

9. ...and...there are quite a few of us who thought that's
10. what we were voting on.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. No, this was on the amendment. I had indicated on the
13. adoption of the amendment, Senator. Senator Netsch.

14. SENATOR NETSCH:

15. In...since there obviously are...if you look at Senator
16. Sangmeister's vote, you know that...that was his understanding.
17. There really...there really was misunderstanding about that...

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Netsch.

20. SENATOR NETSCH:

21. ...I think in fairness to a number of us, there certainly
22. was misunderstanding...on...the part here. If you look at my
23. switch and you look at Senator Sangmeister's and Senator
24. Joyce's and a few others, I think you may...you may be aware
25. of that. We were under the impression that we were voting on
26. moving the previous question and I think in fairness to a lot
27. of us you ought to take the vote over again.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Degnan.

30. SENATOR DEGNAN:

31. Thank you, Mr. President. Having voted on the prevailing
32. side, I move to reconsider.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

34. Senator Degnan.

1. SENATOR DEGNAN:

2. To get Dawn on the record...Amendment No. 13.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Senator Degnan moves to reconsider the vote by which
5. Amendment No. 13 was adopted. Senator Totten moves to Table
6. that motion. All those in favor indicate by saying Aye.
7. Senator Bowers. Senator Bowers.

8. SENATOR BOWERS:

9. Beautiful, beautiful. How can you move the previous
10. question without declaring the result? That's my only
11. answer...question. How...how can you move to reconsider...

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. I declared the result, Senator, on the previous
14. question.

15. SENATOR BOWERS:

16. ...he moved to reconsider the vote you never declared
17. the result. Please declare the result, then make your
18. motion.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Well,...are we talking now about the previous
21. question or...Tabling the motion?

22. SENATOR BOWERS:

23. I'm sorry. The motion by Senator Degnan was to reconsider
24. the vote by which this thing was...was passed and you'd
25. never declared whether it was passed or lost and let's just
26. take it in order. You declare what...happens and then listen
27. to the motion. I suggest a motion is out of order until you
28. declare the result.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. You're correct, Senator Bowers. I did not finish declaring
31. the final vote on that. I declared...on the motion to Table...
32. yes, there was a motion...having voted on the prevailing side,
33. move to reconsider. We had...we hadn't ruled yet. I had asked

1. for those in favor indicate by saying Aye and they said Aye and
2. at that point you...interrupted and sought recognition, so there
3. was no final determination on the vote...on the move to reconsider.
4. And while we're...we're having discussion, I will recognize
5. a few of the other Senators before we...finalize anything.
6. Senator Joyce.

7. SENATOR JEROME JOYCE:

8. Well, Mr. President, I...you know, if you want to be cute
9. about this and play this, you know, that's fine and we'll...
10. we'll...

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. No, wait Senator. No one's being cute.

13. SENATOR JEROME JOYCE:

14. ...wait...now, you know...if you want to do this...

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. I have not announced any vote. I have sought to recognize
17. everybody that sought recognition before we proceeded in this
18. vein. Senator Degnan made a motion, we didn't announce any
19. vote on it. I recognized him like I recognized Senator
20. Bowers and I'm...recognize you for discussion before we
21. proceed any further. So, if you'll just relax and don't get
22. excited. Senator Sangmeister, do you wish to comment?

23. SENATOR SANGMEISTER:

24. Well, then get to it and make your declaration of what-
25. ever happened.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Now, the motion to reconsider that vote...the Ayes
28. carried. The...the motion now is before the Body to re-
29. consider the vote. Now, on Amendment No. 13, we will...we're
30. back on the motion. Senator Rock on Amendment No. 13...on
31. the adoption of Amendment No. 13.

32. SENATOR ROCK:

33. Thank you, Mr. President and Ladies and Gentlemen of the

1. Senate. I rise in support of the motion to adopt Amendment
2. No. 13, which is now before this Body.

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END OF REEL

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1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Davidson.

3. SENATOR DAVIDSON:

4. I...a point of order, a parliamentary inquiry, and...sorry to
5. ask when Senator Degnan made his motion to reconsider the vote, you
6. had never announced the vote by which the amendment was adopted
7. so the vote could be reconsidered. And if I am in error, I...I'll
8. apologize, but I never did hear you say the vote, and that the
9. amendment was adopted, and then his order to...his motion to re-
10. consider is out of order until you make...

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator, I announced the roll call vote on the adoption of
13. the amendment. It was at that point there was a question on if
14. they were voting on the amendment or on a motion to...on a motion
15. to move the previous question. And that is when the debate started.
16. And then there was a motion by Senator Degnan to reconsider, the
17. motion carried, we are on the...we are on the amendment at this
18. point on Amendment 13. Senator Rock. On the...on Amendment No.
19. 13, There's discussion on Amendment 13. Senator Weaver.

20. SENATOR WEAVER:

21. I never did hear what the vote was, you never announced it,
22. you turned off the board. I just wondered what the vote was.

23. Do you have...do you have the recorded vote?

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. I have not had...I do not have it in front of me. I think...

26. SENATOR WEAVER:

27. Does the Secretary have the recorded vote?

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. It was 28 to 25, I am...I am told.

30. SENATOR WEAVER:

31. On the amendment?

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. On the adoption of the amendment. There was...move to

1. reconsider, we...we voted to reconsider, we are on the motion
2. of adopting Amendment 13 now.

3. PRESIDENT:

4. Senator Degnan. We...we just have to unravel this, now, will you
5. just wait just a minute. You're...you're...all you're doing
6. is adding to the tower of Babel that you have constructed
7. almost single-handedly. Senator Degnan.

8. SENATOR DEGNAN:

9. Thank you, Mr. President. I...I move to withdraw my
10. motion.

11. PRESIDENT:

12. That is certainly in order. Now, we are back at the point
13. at which the amendment having...the previous question having
14. been moved and the question having been put, let me see the
15. announcement of the roll call. On the question of the adoption
16. of Amendment No. 13 to House Bill 621, there were 28 voting
17. Aye and 25 voting Nay. The amendment is adopted. Senator
18. Bruce. Senator Bruce.

19. SENATOR BRUCE:

20. Thank you, Mr. President. Now that we are on this order of
21. business, I would request that we verify those who voted in the
22. affirmative.

23. PRESIDENT:

24. That request is in order. Will the members please be in
25. their seats. Read the affirmative vote, Mr. Secretary.
26. Senator Bruce.

27. SENATOR BRUCE:

28. Yes, thank you, Mr. President. I would like my motion...
29. that I would like to verify both affirmatives and the negatives.

30. PRESIDENT:

31. You are in order. Read the affirmative votes first, Mr.
32. Secretary.

33. SECRETARY:

The following voted in the affirmative:

1. Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco,
2. Dawson, Degnan, Demuzio, Donnewald, Egan, Friedland, Johns,
3. Jeremiah Joyce, Jerome Joyce, Lemke, McLendon, Nash, Nedza,
4. Nega, Newhouse, Ozinga, Sangmeister, Savickas, Taylor, Vadalabene,
5. Mr. President.

6. PRESIDENT:

7. Here. Senator Bruce, do you question anyone on the affirmative
8. roll call?

9. SENATOR BRUCE:

10. Is Senator Jerome Joyce on the Floor?

11. PRESIDENT:

12. Senator Joyce on the Floor? Jerome, Senator Joyce on the
13. Floor? Strike his name, Mr. Secretary.

14. SENATOR BRUCE:

15. Is Senator Sangmeister on the Floor?

16. PRESIDENT:

17. Senator Sangmeister on the Floor? Senator Sangmeister on
18. the Floor? Strike his name, Mr. Secretary.

19. SENATOR BRUCE:

20. Now, I would like to...

21. PRESIDENT:

22. Any more questions of the affirmative roll?

23. SENATOR BRUCE:

24. No, thank you, Mr. President.

25. PRESIDENT:

26. State your point, Sir. Senator Walsh.

27. SENATOR WALSH:

28. How is Senator Bruce recorded?

29. PRESIDENT:

30. Mr. Secretary, is...how is Senator Bruce recorded?

31. SECRETARY:

32. Senator Bruce is recorded as voting Aye.

33. PRESIDENT:

1. Senator Bruce, do you...any further questions? Pardon me?

2. Senator Walsh. Just relax, will you, Senator Bloom, please.

3. SENATOR WALSH:

4. By...by what right does he...does he verify the affirmative
5. vote...

6. PRESIDENT:

7. By the right of any elected...elected member of this Body.

8. SENATOR WALSH:

9. Well, the practice, Mr. President, is that...for those who
10. are not on the prevailing side to verify the roll. Senator Bruce
11. is...is in the affirmative, and on the prevailing side, and I
12. suggest he doesn't have a right to verify the affirmative vote.

13. PRESIDENT:

14. I point out to you, Sir, Rule 23. "After any roll call vote,
15. except for a vote which requires a specific number of affirmative
16. votes, and which has not yet received the required votes, and
17. before intervening business, it shall be in order for any Senator
18. to request verification of the results of the roll call." Senator
19. Walsh.

20. SENATOR WALSH:

21. Well, since Senator Bruce is being selective, I would request
22. to be recognized to question the...the presence of some other
23. Senators.

24. PRESIDENT:

25. You are...that's in order. Any other questions of the affirm-
26. ative roll? Yes.

27. SENATOR WALSH:

28. Senator Friedland?

29. PRESIDENT:

30. Senator Friedland on the Floor? Senator Friedland on the
31. Floor? Strike his name, Mr. Secretary.

32. SENATOR WALSH:

33. Senator Ozinga?

1. PRESIDENT:
2. Senator Ozinga on the Floor? Senator Ozinga on the Floor?
3. Strike his name, Mr. Secretary. Question the presence of any
4. other member, Senator Walsh? Senator Bruce.
5. SENATOR BRUCE:
6. On...on the affirmatives or on the negatives?
7. PRESIDENT:
8. I think...I think the affirmatives have now been covered.
9. SENATOR BRUCE:
10. Then I would like to verify the negatives.
11. PRESIDENT:
12. All right. Mr. Secretary, read the negative roll call, please.
13. SECRETARY:
14. The following voted in the negative:
15. Berning, Bloom, Bowers, Coffey, Davidson, DeAngelis, Etheredge,
16. Geo-Karis, Grotberg, Keats, Kent, Mahar, Maitland, McMillan, Netsch,
17. Philip, Rhoads, Rupp, Schaffer, Simms, Sommer, Thomas, Totten,
18. Walsh, and Weaver.
19. PRESIDENT:
20. Senator Bruce, do you question the...
21. SENATOR BRUCE:
22. Well, does anyone want to be here on the negative vote?
23. I don't know. Let's start off with my...my...my principal, and
24. that is Senator Netsch. Is she on the Floor?
25. PRESIDENT:
26. Senator Netsch on the Floor? Is Senator Netsch on the Floor?
27. Strike her name, Mr. Secretary.
28. SENATOR BRUCE:
29. Senator Keats?
30. PRESIDENT:
31. Senator Bruce, do you question the presence of any other
32. member?
33. SENATOR BRUCE:

1. Yes, I was questioning the presence of Senator Keats.

2. PRESIDENT:

3. Senator Keats on the Floor? Senator Keats on the Floor?
4. Strike his name, Mr. Secretary.

5. SENATOR BRUCE:

6. Thank you, Mr. President.

7. PRESIDENT:

8. Senator Keats is back on the Floor. All right, on that
9. question, the Ayes are 24, the Nays are 24. Amendment No. 13
10. fails. Further amendments?

11. SECRETARY:

12. Amendment No. 14 offered by Senator Coffey.

13. PRESIDENT:

14. Senator Coffey.

15. SENATOR COFFEY:

16. Mr. President, and members of the Senate. Amendment No. 14
17. makes technical language change to correct the misspellings and
18. errors in this bill, and reduces Metro Planning by one hundred
19. thousand dollars due to a...a calculation error. Makes language
20. changes, corrects the statutory references to Motor Fuel Tax Laws,
21. and makes technical language changes in General Assembly Travel
22. and Aeronautics Capital Program. I'd ask for a favorable roll
23. call.

24. PRESIDENT:

25. Any discussion? Senator Carroll.

26. SENATOR CARROLL:

27. This has been approved by the Bureau of the Budget. There's
28. no problem, we would move its adoption.

29. PRESIDENT:

30. Senator Coffey moves the adoption of Amendment No. 14 to
31. House Bill 621. Any discussion? If not, all in favor signify
32. by saying Aye. All opposed. The Ayes have it. The amendment
33. is adopted. Further amendments?

1. SECRETARY:

2. Floor Amendment No. 15 by Senator Coffey.

3. PRESIDENT:

4. Senator Coffey.

5. SENATOR COFFEY:

6. Mr. President, and members of the Senate. Amendment No. 15
7. revises distributions of a highway program from Road and Series
8. A Bonds. Adds twenty million to the road...for interstate trans-
9. fer projects for the City of Chicago. Adds four million four
10. hundred thousand for projects in DuPage County that were...that
11. the department will be awarded reimbursements by DuPage County
12. for. Adds eleven million one hundred and twenty-five thousand
13. to the State-wide Bond Line. This addition is a balance by the
14. deletion of...never mind. I'd ask for a favorable roll call
15. for the remainder.

16. PRESIDENT:

17. Senator Coffey moves the adoption of Amendment No. 15 to
18. House Bill 621. Any discussion? If not, all in favor signify
19. by saying Aye. All opposed. The Ayes have it. The amendment
20. is adopted. Further amendments?

21. SECRETARY:

22. Amendment No. 16 by Senator Coffey.

23. PRESIDENT:

24. Senator Coffey.

25. SENATOR COFFEY:

26. Amendment No. 16 provides for a Federal pass-through of the
27. interstate transfer commuter parking in the City of Chicago
28. airport projects. Total increase for a Federal pass-through
29. is twenty-three million two hundred and ten thousand dollars. I
30. ask for a favorable roll call.

31. PRESIDENT:

32. Senator Coffey moves the adoption of Amendment No. 16 to House
33. Bill 621. Any discussion? If not, all in favor signify by saying

1. Aye. All opposed. The Ayes have it. The amendment is adopted.

2. Further amendments?

3. SECRETARY:

4. No...No. 17 offered by Senator Coffey.

5. PRESIDENT:

6. Senator Coffey.

7. SENATOR COFFEY:

8. Amendment No. 17 makes adjustments to the Danville...in an
9. amount consisting with...with ten percent of the adjustment for
10. the FY'81 amount. And provides for an appropriation for the audit
11. adjustments allowed in the Downstate Public Transportation Act.
12. It also allows the payment of eight thousand four hundred and
13. twenty-three dollars to Danville for previous eligible operating
14. expenses. Total increases, one hundred and forty-four thou-
15. sand six hundred and forty-four dollars. And I'd ask for a
16. favorable roll call.

17. PRESIDENT:

18. Senator Coffey moves the adoption of Amendment No. 17 to
19. House Bill 621. Any discussion? If not, all in favor signify
20. by saying Aye. All opposed. The Ayes have it. The amendment
21. is adopted. Further amendments?

22. SECRETARY:

23. No. 18 offered by Senator Coffey.

24. PRESIDENT:

25. Senator Coffey.

26. SENATOR COFFEY:

27. Amendment No. 18 in the amount of one million four hundred
28. thousand for the Addison Creek watershed, is a balance by the
29. deletion of the north branch Chicago River project for...for
30. reappropriation in the House Bill 439. It also adds one hundred
31. thousand for the Rainer Creek decrease. And decreases one
32. hundred thousand from the Rock River Dam. I'd ask for a favor-
33. able roll call.

1. PRESIDENT:

2. Senator Carroll.

3. SENATOR CARROLL:

4. I...I believe that was an incorrect explanation. I'm told
5. that that amendment was withdrawn.

6. PRESIDENT:

7. Senator Coffey.

8. SENATOR COFFEY:

9. Yes, Mr. President. We'll withdraw that amendment.

10. PRESIDENT:

11. Hold it now. Mr. Secretary, Amendment...that Amendment No.
12. 18 has now been withdrawn. Now, we're on Amendment 18.

13. SECRETARY:

14. Amendment No. 18 by Senator Carroll.

15. PRESIDENT:

16. Senator Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President, and Ladies and Gentlemen of the
19. Senate. Just so that everybody's clear, this is for 2.9 thirty-
20. seconds, but no greater than a third of the operating costs in
21. the RTA Region. I would move adoption of Amendment No. 18.

22. PRESIDENT:

23. Senator Carroll has moved the adoption of Amendment No. 18
24. to House Bill 621. Any discussion? Senator Schaffer.

25. SENATOR SCHAFFER:

26. Well, we just went through a...a rather lengthy period of
27. confusion. Perhaps if we all understood exactly what the amend-
28. ment was, then we could all vote right the first time, and it
29. would speed up the process. So, Senator Carroll, would you like
30. to tell us in dollars exactly what this is, and where does it go,
31. please, Sir.

32. PRESIDENT:

33. Senator Bloom, will you go over and talk to Senator Gitz.

1. Yes, Senator Carroll.

2. SENATOR CARROLL:

3. Why thank you, Mr. President. Senator Schaffer, the money
4. goes to your transit district, and it's 2.9 thirty-seconds of the
5. sales tax collected in your area and mine. And it's a hundred
6. and sixty million to erase the one-million operating deficit max-
7. imum, which is the same as we do here in Springfield, and in the
8. other one-thirds, and in the other areas of the State where we
9. provide one-third of the operating...the operating costs. And I
10. would move adoption again. Well...was just an answer to your
11. question.

12. PRESIDENT:

13. Senator Schaffer.

14. SENATOR SCHAFFER:

15. Just a...a parliamentary inquiry. This sounds like it's ex-
16. actly like the last amendment we had a go around on. I...I wonder
17. why we have to...if it is, why are we voting on it twice in a
18. row, this way it seems rather dilatory.

19. PRESIDENT:

20. It is not the same as the one we just voted on, it's the same
21. philosophy, but not the same amendment. Yes, Senator Schaffer.

22. SENATOR SCHAFFER:

23. I would really like being enlightened as to exactly what
24. the difference is.

25. PRESIDENT:

26. Senator Carroll.

27. SENATOR SCHAFFER:

28. Other than the fact that I didn't...

29. SENATOR CARROLL:

30. The other one you felt was probably too much, it gave three
31. thirty- seconds. This one only gives 2.9 thirty-seconds.

32. PRESIDENT:

33. Further discussion? Senator McMillan.

1. SENATOR MCMILLAN:

2. Well, Mr. President, and members of the Senate. I rise in
3. opposition to the amendment. We've had a lot of noise, and we've
4. created a lot of confusion, but I think it's time somebody, at
5. least, spoke up about what in the hell this is. This is an amend-
6. ment which is providing for, at least, one hundred fifty million
7. dollars, or one hundred sixty million, or however much it is,
8. from the General Revenue Fund to bail out the RTA. For those
9. of you who had your bridge projects taken away this morning in
10. the DOT amendment, this is probably where it's going. For those
11. of you who are in the tank for a one cent increase in the sales
12. tax, the way this is going, it's going to be a two cent increase
13. in the sales tax. It was only a hundred million dollars that
14. was promised in the program, and if this is going to take a hundred
15. and sixty million those of you that thought you were getting road
16. programs, are probably going to get nothing. Now, it's clear
17. that's what it is, the votes may be there, and it may be fair,
18. but somebody better figure out that the deal has either been made,
19. or the money is going to go one way or the other. But the figure is
20. a hundred and sixty million. Those of you that have always de-
21. fended this kind of a subsidy because of what you get downstate,
22. this is going to be two or three times the level of total subsidy
23. when this is added to the sixty million dollars in capitaa subsidy
24. that we already give the RTA. So, take a look at it before you
25. vote on it, realize what you're doing. This is the price you
26. pay.

27. PRESIDENT:

28. Further discussion? Senator Davidson.

29. SENATOR DAVIDSON:

30. Senator Carroll, you're right, one-third of the deficit, but
31. let's also get the figures correct for the downstate, it's one
32. thirty-second that all the downstate mass transits...participate
33. in except where we made the exception for the bi-State area. Now,

1. let's not say what you're doing for downstate, and it's even,
2. that's a lot of hogwash. It's one-thirty second, and then
3. one-third of the deficit. Three thirty-seconds used to go to
4. the RTA, and the three thirty-seconds, and then two thirty-
5. seconds, to the bi-State. Let's be correct. I urge a No vote.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Walsh.

8. SENATOR WALSH:

9. A point of order, Mr. President. A question as to whether
10. the amendment is in proper form, and that it does contain sub-
11. stantive language in an appropriation bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. All right, Senator Walsh...

14. SENATOR WALSH:

15. Request a ruling from the Chair.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Can we take a look at it, and get back to you, there's
18. several other speakers who've sought recognition. We will rule
19. on it before...Senator Totten.

20. SENATOR TOTTEN:

21. Thank you, Mr. President, and Ladies and Gentlemen of the
22. Senate. This is straight from the tower of Babel, there...there
23. are some, of course, glaring inconsistencies in this amendment.
24. What the sponsor fails to remind the members of the Senate, is
25. that the downstate districts also impose a property tax for
26. transportation, and he has conveniently forgotten to make this
27. a part of his proposal for a property tax on the City of Chicago.
28. May I also suggest the inconsistency that, I think, we have a
29. good chance of doing something that if we defeat this amendment,
30. the sponsor will come back in a few minutes with two-eighths of
31. thirty-seconds, two-sevenths, two-sixths, and finally we will
32. get back to the area that we probably should be if we let him
33. go long enough, and that is zero, because the agency does not

1. need any. This is an absolute rip-off for the RTA and the City
2. of Chicago.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Netsch.

5. SENATOR NETSCH:

6. Thank you, Mr. President. What Senator Totten forgets, is
7. that we pay an extra one cent sales tax in the six county area.
8. That will match your property taxes for local transportation at
9. any time. What we are doing here, is restoring what was taken
10. away from us a year and a half ago by the combined efforts of
11. Governor Thompson and Mayor Byrne, and we are not even restoring
12. all of that, only the sales tax portion. The rest of the subsidy
13. is still not being restored. This puts us almost back to where we
14. were a year and a half ago, and it makes it possible for our
15. transit system to run, maybe one more year, at least. It is
16. only fair, and it is what we lost a year and a half ago. I
17. rise in strong support of this amendment.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Nimrod.

20. SENATOR NIMROD:

21. I...I have some questions I'd like to ask, Mr. President.
22. Is Senator Carroll the sponsor of this...who's the sponsor of
23. this amendment?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Amendment No. 18 is sponsored by Senator Carroll. Senator
26. Nimrod.

27. SENATOR NIMROD:

28. Senator Carroll, since we're proposing a tax here...monies
29. to be diverted to the RTA, is this money a part of a program that
30. those of us that really want to see something happen, that we
31. can say how...see how this fits in, and what effect we're having...
32. what we're doing. There have been proposals in good faith that
33. have been made to resolve the RTA question. Now, if you want

1. people who are interested in trying to help and solve this
2. problem, to say that you're trying to do something either
3. underhanded, or backward, or without giving us the total
4. picture, then you're going to lose those of us that are sin-
5. cerely want to do something to help out. I think if you're
6. trying to do something to salvage for the RTA, that you ought
7. to tell us what the package is, what...what are the reforms
8. that are going to be involved, so that we can have...make a
9. decision here as to whether or not we want to support or not
10. support it on an individual or collective basis. But to just
11. take a try to propose a tax on this basis, and say that here
12. it is, and this is what we want to take without telling us
13. what it does, and what reforms are tied in with this, and
14. who's agreed or not agreed to it, I think it's rather unfair.
15. Number one and number two is, I think it's misrepresenting what
16. the facts are in this particular case. Can you tell me what
17. the...what the purpose of this is, and how it fits in the picture,
18. whether it's part of a deal or not, and what commitments are made.
19. Do we, in fact, get control of the RTA in the suburbs, or do we
20. not? I've heard Mayor Byrne today agree to do that. I'm...I'm
21. at a total loss, and you should not be pushing something through
22. without, at least, telling us what it is.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Carroll.

25. SENATOR CARROLL:

26. Why thank you, Mr. President. To respond to Senator Nimrod.
27. From what I've seen, nobody's been proposing a package other than
28. what possibly Senator Totten, Rhoads, myself, and a few others
29. talked about a while ago, what Senator Rock has offered, what
30. Senator Savickas has offered, and others. Everything else seems
31. to be nothing happening. Now, the purpose of this, is to say,
32. that basically 31.3 percent of the downstate carriers are getting
33. a State subsidy. They are getting it through a utilization of

1. a portion of the sales tax revenue raised in that area. This
2. replaces that subsidy, the dollars, within the RTA Region. One-
3. third of the operating costs, the same as everywhere else. This
4. is a good faith effort to get something going. Let me suggest
5. to you also, that obviously there will have to be a total package,
6. this doesn't deal with that, but this is the funding mechanism
7. of a State subsidy to implement whatever, whatever deals
8. eventually...hopefully are made. I am aware of none. Unfortunately,
9. I am aware of none. I wish the second floor would have come
10. up with one that was reasonable, and legitimate, and doable,
11. it hasn't. We've offered several, those have failed to receive
12. the necessary votes. But I think it's only fair that we worry
13. about keeping the system going, doing it out of a locally
14. raised tax, their portion of the sales tax, just like everyone
15. else gets. And to keep the system operating so that we can
16. hopefully come to a full long-term solution.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Nimrod.

19. SENATOR NIMROD:

20. What...what system is going to keep operating, the CTA,
21. the RTA, the suburban trains, the...I mean what part of the
22. system will operate as a result of...of this money continue,
23. what happens?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Carroll.

26. SENATOR CARROLL:

27. The RTA or its successor.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Nimrod.

30. SENATOR NIMROD:

31. Now, it was my understanding if this money is going to
32. be approved or you're going to acquire it, do we then have some
33. cost containment? Do we have the extra seat if it's going to

1. be the RTA presently? Is that seat then...are we going to pass...
2. is there an agreement that we're going to pass the bill which
3. calls for the reapportionment, which I understand Mayor Byrne
4. has agreed to give that particular seat to the RTA, to the
5. suburban and collar counties?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Carroll.

8. SENATOR CARROLL:

9. Senator Nimrod, I know of no package agreement. I will tell
10. you though, that I will support, and I believe you'll have the
11. very strong support of this side on both the issue of cost con-
12. tainment, which I've said all along, and on the adjustment of the
13. seat, which is something I have said and I think all of us
14. all along.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Nimrod. Your time is coming to a close, Senator.

17. SENATOR NIMROD:

18. Well, Mr. President, we are now discussing openly, for a
19. change, what the package would contain. We're getting some give
20. and take on...on a subject that has to be resolved before we leave
21. here on July 1st. We've attempted to get a resolution of this
22. problem for several weeks. Evidently we have not been talking
23. or there's been talking going on with no results. Now, we're
24. faced with a proposal here that involves the whole package, and
25. we ought to have the time to discuss it openly.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator, all I do is operate under the rules of the Senate.
28. There's five minutes for each speaker, and your time has expired. I
29. ...you...you under the rules also have a chance for another five
30. minutes. Further discussion? Senator Becker. Senator...Senator
31. Nimrod.

32. SENATOR NIMROD:

33. You say I have a chance for another five minutes?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Yes.

3. SENATOR NIMROD:

4. I would like to take it.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. All right, under the rules, we'll go all the way around,
7. everyone who wants to speak the first time, gets a chance, and
8. we will be back to you Senator, I'll put you right on the list.
9. Senator Becker.

10. SENATOR BECKER:

11. Thank you, Mr. President, and members of the Senate. I
12. rise in opposition to this amendment. And also to remind Senator
13. Nitsch, she said...Netsch, Nitsch, you're still beautiful honey,
14. and I love you. I just want to remind you, Senator, that the
15. 7th District which covers Cicero, Berwyn, Riverside, Brookfield,
16. Lyons, also pays the one percent sales tax. We have not had
17. a bus running for the past month in the 7th District. Just
18. recently our Governor released the sales tax money to Chairman
19. Hill which was supposedly to be divided equally amongst all
20. the people supplying transportation. My busses still are not
21. running, we are still paying the one percent sales tax. Since
22. 1974, when the RTA started, Cicero and Berwyn and all our other
23. communities have received absolutely nothing in additional trans-
24. portation. We had the West Town's Bus, we had the L's, we had
25. the trains, so Senator Netsch you've given us nothing, and
26. that's what I'm going to give you when I press the red button.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Further discussion? Senator Jeremiah Joyce.

29. SENATOR JEREMIAH JOYCE:

30. Thank you, Mr. President, and members of the Senate. What
31. this amendment represents to me, is a statement that if we had
32. not done what we did in 1979 we would not be where we are now,
33. and there's not a person in this Body who can disagree with that.

1. And for those of you who say, well you voted for it, now live
2. with it, that's your problem, my response to you is that, if
3. we are going to take that posture, then we might as well close
4. up shop here, I'm not voting for another thing. When someone
5. from the Governor's Office comes down and tells me what the
6. facts are on a particular proposal, I assume that...that I can
7. act in good faith because he's acting in good faith. And so
8. too with the Mayor of the City of Chicago. Now, if you're going
9. to continue to punish us because of the inexperience, or the
10. incompetence, or whatever other term you may choose to character-
11. ize her decisions in 1979, well then you are putting a...
12. serving a great injustice on the City of Chicago, and we might
13. as well stop talking because we're not going to get anywhere.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Rock.

16. SENATOR ROCK:

17. Thank you, Mr. President, and Ladies and Gentlemen of the
18. Senate. I rise in support of Amendment No. 18, and I do so in
19. good faith. I have spoken with the Governor on numerous occasions,
20. today, as a matter of fact, less than an hour ago. There is a
21. proposal pending, the difficulty we are having, I will share with
22. my colleagues, there has been nothing I don't think that's been
23. hidden or not in the open, as was suggested by Senator...Senator
24. Nimrod. The difficulty we have had, obviously, is that the
25. Governor of this State in March proposed a solution to the trans-
26. portation...problem, it called for the imposition of a State-wide
27. gross receipts tax to be divided unevenly, I might add, between
28. the Road Program and the Transportation Program. That package
29. was Tabled by the Speaker of the House in summary fashion. I
30. then proposed a similar package, a State-wide gross receipts tax,
31. and went so far as to propose a region-wide gross receipts tax.
32. In order to get the kind of money that, frankly, the RTA or its
33. successor agencies which in fact, we have already agreed to after

1. enumerable hours of negotiation, in order to afford that agency
2. whatever you call it, and however it's constituted, the opportunity
3. to provide the kind of services that have to be provided to a
4. million people on a daily basis in that region. Now, like it or
5. not, we have to keep the trains running, there simply isn't any
6. question about that. And so, what we have provided by virtue of
7. this amendment, is an immediate infusion of a hundred and sixty...
8. roughly a hundred and sixty million dollars in new revenue, actually
9. a hundred and fifty-four million dollars in new revenue. And I
10. suggest to you that is exactly fifty-four million dollars more
11. than the Governor, in his latest proposal, was going to afford to
12. that region under a totally new structure, totally dominated
13. in two out of the three agencies by his appointment. The Governor
14. is to appoint the, so-called Illinois Transportation Authority.
15. The Governor is to appoint the members of the Suburban Transit
16. Authority. And the Mayor of Chicago will appoint the members of
17. the Chicago Transit Authority. And the Oversight Board will, in
18. fact, have the kind of powers that some of you have been seeking
19. and in most instances justifiably. What we have said, and
20. what the Mayor of Chicago has said, I am told, is that the
21. proposal that was offered by the Governor simply doesn't have
22. enough money. And we are not, Senator McMillan, looking to
23. raid the Road Fund, so you don't have to raise that boogie man,
24. or that red herring, you are very well aware that what the Governor
25. is proposing is an increase of one penny in the State-wide sales
26. tax, and an increase of fifty million dollars in the liquor tax.
27. And if you take out the relevant exemptions, which he has called
28. for, you come up with a net figure of three hundred and twenty-
29. eight million dollars. And let me tell you how he wishes to
30. divide that, he wishes to give mass transportation, public trans-
31. portation in this State, one hundred million dollars of that
32. new money, and the Road Program, one hundred million dollars of
33. that new money. And what happens to the other hundred and twenty-
eight, where does that go, that goes into the General Revenue Fund

1. for whatever purposes he sees fit. And all we have said
2. right from the moment I received that package in the Mansion,
3. better than ten days ago, was I said the program, I think, is
4. one that can be sold, it is a legitimate response, it is some-
5. thing, I think, we can gather a majority of the members around.
6. Nobody wants to vote for a new tax, and I say that with...with
7. all the emphasis I can, and nobody wants to propose a new tax.
8. Fact of the matter is, we've got a million people in that region
9. that need public transportation, and it's time that the gamesmen-
10. ship was over. And so I spoke with the Governor at seven-thirty
11. this morning, and again an hour ago, and said all we need is a
12. reallocation of that money because under that proposal, in the...
13. in the collar counties, and the..Cook County, two hundred and
14. fifteen million dollars in sales tax will be raised. And we're
15. to settle for a hundred coming back, not fair I said, let's
16. make it a hundred and fifty, and make roads a hundred and fifty,
17. and put twenty-eight or twenty-five in the General Revenue Fund
18. as a cushion, but let's put the money where we're trying to...
19. what...for the purpose we're trying to raise it for. We're not
20. calling for a tax increase to give a new infusion to the General
21. Revenue Fund, we are asking our membership to bite the bullet
22. on a tax increase to solve two real problems. One is public
23. transportation, and the lack of adequate funding, and the other
24. is the Road Program, upstate and downstate, and the lack of
25. adequate funding. And all I have heard all day and all I heard
26. an hour ago, they can't even find the Speaker because two hours
27. ago in a fit of pique, the last word was, well let the city dis-
28. connect. It was alleged to some that the Mayor of Chicago, by
29. virtue of some silly report out of the city news bureau had
30. rejected the plan, which was not true. And so, the Speaker allegedly
31. is...is moving ahead, plowing ahead with letting the City of
32. Chicago disconnect and everybody will be on their own, well that's
33. nuts, and everybody including the Governor knows it. And so I

1. have called him, and I have spoken to your leadership, and I
2. have suggested that we sit down rationally and try to get back
3. to where we should be. And where we should be, is I'm prepared
4. to bite the bullet, and ask my members to bite the bullet on
5. a tax increase, because I am not prepared to go home on July 1st
6. or 2nd, or 3rd, and have mass transportation in the six county
7. area shut down, either totally all at once, or piecemeal. And
8. I'm not happy, Senator Becker, that the West Town Bus Company
9. is not operating, but the distribution of money that was made in
10. the last infusion of the sales tax was according to the formula
11. and that hadn't...didn't have to be done that way, they did the
12. best they could under the circumstances. And you have...your
13. communities are serviced by the Chicago Transit Authority, and
14. that's an undeniable fact. And there's no money, we're not
15. asking for any money out of the Road Fund, so just don't even
16. listen when you hear that part of the program, because we're
17. not asking for it. What we are asking for, is if you're going
18. to call upon us to raise two taxes, and come up with three hundred
19. and twenty-eight million net new dollars, let's put the money
20. where the need is, and let's put the money in mass transportation,
21. and let's put the money in the Road Program. And if there's some
22. left over, put that in General Revenue for a cushion. All this
23. amendment says, to Speaker Ryan, and Representative Telcser,
24. who for four days have been sitting on the amendments that re-
25. present this plan both in structure, and in revenue, get off it,
26. let's get going. And if this is what it takes, I suggest we ought
27. to vote unanimously to do it, and send a message to the House. This
28. bill is going back to the House, they can summarily reject this
29. amendment, which I'm sure they probably will, but at least it
30. shows them that we here are serious about keeping public trans-
31. portation operative in the six county area. Because I don't think
32. there's any one of us from that area who wants to go home and find
33. that public transportation has shut down. It's simply not a

1. responsible answer to do it that way. And for those folks in
2. both caucuses in both Houses who have been suggesting that the
3. best way to address this problem is to let the system shut down,
4. I say to you, that's irresponsible, we cannot afford to let it
5. shut down. The State-wide, the region-wide, the city-wide,
6. the county-wide consequences are just too grave to be so cavalier
7. in our attitude. Amendment No. 18 is a hundred and fifty-five
8. million dollars, under this plan that's what we ought to be
9. getting, either way it comes out of General Revenue. And I
10. would urge an Aye vote.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Gitz.

13. SENATOR GITZ:

14. Thank you, Mr. President, and members of the Senate. Senator
15. Becker made a telling point when he said, my people get nothing,
16. and that's what I'm going to give in return. And to Senator
17. McMillan, I'm beginning to have more sympathy for your budget
18. reforms all the time. One of the things that is unfortunate
19. in the waning hours of the Legislature, is to try to keep track
20. of each of the amendments gone before, and if my temper's a
21. little short, it's for the fact that way back in Amendment 15,
22. three amendments ago, I was trying to raise some questions, and
23. could not get recognition, not because I'm sure the Chair was
24. trying to play any games, but merely that seems to be the nature
25. of the times. I'm not going to support this amendment, and I
26. think I owe my colleagues an explanation why. In Amendment 15
27. when I started looking through page 2, after it was already on
28. without discussion, I saw some of the following which relates
29. directly to what's on the board. Nine hundred and fifty thousand
30. dollars in FAP 412 from Maroa to Forsyth. Two million dollars
31. in FAP 405, the Route 29 interchange. Fourteen million and a
32. half dollars for paving on the Quincy by-pass. A million dollars
33. for land acquisitions in U.S. 50 and Illinois 127. Fifty million

1. dollars for the counties of Cook, DuPage, Kane, Lake, McHenry,
2. and Will. And forty-two million dollars State-wide. My difficulty
3. is this, when I came down here, it was the idea that I think every
4. Senator in this place should represent his own constituents. And
5. the one thing that I promised was that I was not about to come
6. back and sign on to any transportation plan without showing some
7. results for northern Illinois. And Amendment 15, and virtually
8. every other darn amendment which is on this bill, doesn't do one
9. damn thing for northern Illinois. In twenty years, there's twenty
10. miles of highway, and at the rate we're going, we'll be down to
11. I80 by the year 2020. When I probably won't be alive, and if I
12. was, I'd be collecting social security. Now, I'm sure that every-
13. one here understands that there's a certain amount of equity to
14. giving three thirty-seconds to the County of Cook for their RTA,
15. when in fact, those same kind of mass transportation arrangements
16. exist in the balance of the State. But those arrangements were
17. not made by us individual members, they were made by the Governor
18. and the Mayor of Chicago, and it's hard to go back and undo what
19. was done before, and I think Senator Jeremiah Joyce made the point
20. before. But that is water over the dam, and that decision was
21. made at that place, and at that time, and that deal didn't work
22. out. And anybody who votes on this amendment for a hundred and
23. sixty million dollars, which is going out of that sales tax in a
24. time of economic austerity, is going to have a lot to explain.
25. And they're going to have even more to explain if they go back
26. and there is not a damn thing in this budget for any of their
27. highways. Now, that is the quandary that some of us are put in,
28. it is truly unfortunate that we have had...in the wedge driven be-
29. tween the rest of the State and the City of Chicago, and the
30. suburban areas, and I'm sure that there has been more than a fair
31. share of grandstanding on all sides. But I think if we're going to
32. be fair, and one of the things that has been a problem from this...
33. from day one, is that any kind of arrangement and comprehensive

1. transportation plan, is going to have to do a variety of things,
2. and one of the key things, is everybody in this place, everybody
3. who's a member of the Senate is going to have to have something
4. to show for it. I commend Senator Rock for the fact that he has
5. been up front and truthful from day one. He has probably labored
6. harder and longer to try more and creative ways to do something
7. for mass transportation than any of the rest of the leadership
8. on either side of the aisle, in either place. But that does not
9. detract, that does not detract from the fact that each of us is
10. charged with representing our individual constituencies. Now,
11. this question of three thirty seconds was raised in caucus, but
12. nobody went around the room and said who has problems with this,
13. and nobody bothered to tell me that Amendment 13 was coming up
14. the line, or that it was going to come back as Amendment 18.
15. And, in fact, that has been one of the problems with the entire
16. appropriations process, some of us are entitled to ask questions,
17. and maybe we'll be able to offer amendments. But too often we
18. have very little input in all the consultations in the high councils
19. of war that are going to make the decisions that we are asked to
20. ratify. I'm sure that there are a lot of us that have kind of
21. short tempers because we've all been put in a pressure cooker
22. since nine o'clock this morning, and not only now, but through
23. the week. But there is one bottom line, and that bottom line
24. is, is that we're are charged with being responsible Legislators
25. to know what's in the amendments, and what its effect is. And
26. if I were to ratify this amendment in light of what this whole
27. budget is, and then on 3rd reading to vote for House Bill 621,
28. then I frankly think that I would not only be violating my com-
29. mitment to my constituents that I've made for three years, but I
30. would not deserve to be back here at all.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The following Senators have sought recognition; Schaffer,
33. Rhoads, Weaver, DeAngelis, and then Senator Nimrod for a second

1. time. Senator Schaffer.

2. SENATOR SCHAFFER:

3. Mr. President, the...there's several points that probably
4. ought to be made. One, I think the President of the Senate in-
5. dicated that there was going to be his figure a hundred and fifty
6. million for transit in the six county area, and a hundred and
7. fifty million for roads downstate. Well, he may be saying that
8. his part of the State, Cook County or Chicago doesn't want any
9. additional road money, but as somebody who represents one of those
10. six counties, we have some legitimate highway needs, and I've
11. always interpreted that hundred and fifty to be a State-wide
12. figure, which frankly, when you add it up that way I can under-
13. stand why my downstate colleagues start to wonder about our math.
14. I would just recall, as those of you who were here two years
15. ago for the last transportation package, I gave a little talk.
16. You'll recall I referred to the dance of the seven veils, well
17. we're...we're beginning again. You'll recall two years ago,
18. as...as piece by piece the final program or deal came down, and
19. we were...had the plan exposed to us veil by veil. I think a
20. lot of people, including my friends from Chicago thought Farrah
21. Fawcett was under all those veils, and lo and behold it turned
22. out to be the incredible hulk. I voted against it, and it
23. turns out I probably should have voted for it, and the people
24. from Chicago should have voted against it, because they got a
25. heck of a lot less money than they thought they
26. were, and my county saved a dollar fifty. I would suggest to
27. you, that we're starting to do the same thing again, the dance
28. of the seven veils, piece by piece, the program is going to be
29. pushed through, shoved through, and once again, this Legislature
30. is not going to get a look at the complete package until we
31. go home and read the papers about what we did to the people of
32. the State of Illinois. Senator Rock, as you probably know, my
33. part of the world doesn't think a whole lot about the RTA, in

1. fact, I think you would have been prudent never to include us,
2. we've turned out to be a bit of a feisty lot. But I can't go
3. home with the trains shut down, I sure don't want that to happen,
4. and I don't want the CTA to shut down, I'm frankly rather fond
5. of Chicago, I want it to prosper. But I also can't go home and
6. tell the people that we got schnookered again, and we got another
7. tax increase to pay the CTA bus drivers outrageous salaries,
8. and the CTA management even more outrageous salaries. Could we
9. not, Sir, just once have the whole package before us in bill form,
10. in writing, and let us look at it in analysis, let's not go at
11. it piecemeal, maybe there is a program we can all vote for. I...
12. I hope so, I'm not terribly hopeful, but let's not push it through
13. piece by piece, let's vote this down, when we get a complete
14. package, let us have a little time to look at it. We got the
15. original RTA bill which was about a foot and a half thick, we
16. had...in the Senate we had less than an hour to peruse it, please
17. don't do that to us again at the end of a Session. Let's...if
18. you can work out a package that's saleable fine, but let's not
19. push it through piece by piece, let's defeat this and force our
20. leadership who...on who a great burden has been placed, to give
21. us the whole package for once, and give us a chance to think
22. about it, not jam it through in the eleventh hour. I sure hope
23. we'll defeat this.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Senator Rhoads.

26. SENATOR RHOADS:

27. Thank you, Mr. President, and members of the Senate. The Senator
28. from Oak Park has implied that those of us who oppose Amendment
29. No. 18 are somehow in favor of a shut down of the RTA. And I
30. wonder if it's really fair to even imply that, when we have yet
31. to hear a meaningful proposal from the other side to control
32. the labor costs of the CTA, or deal with the issue of curtailment
33. of routes, or deal with the issue of a fixed fare box percentage.

1. As I understand the veils unraveling, as Senator Schaffer said,
2. apparently what Chicago thinks to be a fair proposal is another
3. percentage, State-wide, but in this case it would be up to seven
4. percent in Cook County on top of the one percent we already had
5. from that marvelous deal of...of 1979, a restoration of three
6. thirty-seconds, that is a hundred and fifty-five million out of
7. General Revenue, with...with no other revenue source to replace
8. that. And all of that in return for what, in return for what
9. in terms of cost control, meaningful cost control. I haven't
10. seen that part of the package yet. Senator Schaffer alluded to
11. his speech of two years ago on the dance of the seven veils, some
12. of you might remember my speech of that time when I had talked
13. about Charlie Brown and Lucy holding the football, and every
14. year Charlie Brown came along to kick the football, and every
15. year Lucy would yank it away from him at the last minute. And
16. I was directing my remarks at that time to some of my downstate
17. colleagues. Well, here we are, Chicago is holding the football
18. for us again, and we're about to run up and try to kick it, and
19. we're going to wind up, it looks to me with a seven percent...
20. seven percent sales tax in Cook County, exclusive of...of food
21. and medicine, I guess, that might be the...the...a restoration
22. of the three thirty-seconds, and God knows what else, liquor
23. taxes and all the rest. And no meaningful control on the labor
24. contracts which are the whole source of the CTA problem. It's
25. ridiculous, anybody votes for...I mean...I agree with Senator
26. Schaffer, until we see the entire package, it's insane to vote
27. for this.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Weaver.

30. SENATOR WEAVER:

31. Thank you, Mr. President. I think we've got to put a few
32. things in perspective. At this point we're approximately seventy
33. million dollars over the Governor's revised budget in our appro-
priations. The roll backs have not passed both Houses, there's

1. another two hundred million. We've worked...tried to work amongst
2. the leaders of both Houses to come up with something that we think
3. maybe, maybe can be passed in this General Assembly that will keep
4. both the trains, the busses, and the CTA running for, at least, three
5. years. Now, there's some differences of opinion as to what
6. may be saved in cost containment, how the bridge loan may be handled,
7. what economies may be made in future operations or scale backs
8. of non-productive routes. But I don't think it does any good for
9. any of us to get all excited and try to go off singularly, robbing
10. from Peter to pay Paul. This is a time where many of us are going
11. to have to bite the bullet, we may not like it downstate, you may
12. not like it upstate, but time is getting pretty short. We've
13. waited all day to hear from the Mayor, I talked to the Governor
14. five minutes ago, and he says there's no deal, so what must we
15. do? If it's up to the leadership on both sides of the aisle
16. to get together, and decide to agree or to disagree, we're going
17. to have to come to that conclusion before long or we're going
18. to be here all summer trying to solve the problems of mass transit,
19. the Road Program, balancing the budget. We're going to have to
20. keep plugging away, Fellows and Ladies, be reasonable, we'll
21. try to be reasonable, but Senator Rock, I don't think this is
22. a proper approach, it may be one temporary solution but it just
23. won't fly.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Senator DeAngelis.

26. SENATOR DeANGELIS:

27. Thank you, Mr. President. Senator Rock, I feel the same
28. frustration that you do, and that is that...how do we keep a
29. system going when very few of us want to see it shut down. I'm
30. intrigued by this amendment, because I think it puts some people
31. on the spot. We put the funding first, because then we answer
32. the cry of those who say, I will support a method of funding
33. or adding revenues to that which we are going to give to mass

1. transit or those who say we should do it from the cut from the
2. budget. The only problem I have is with the number, because
3. the number that we seem to think, is far apart from the number
4. that you're proposing. And I'm just wondering if Senator Carroll
5. might have a wholesale version of this retail number that he's
6. seeking.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Carroll.

9. SENATOR CARROLL:

10. Well, Senator DeAngelis, this is the wholesale version.
11. It started at three thirty-seconds, we're down to 2.9, that's
12. wholesale.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator DeAngelis.

15. SENATOR DeANGELIS:

16. I can't support your wholesale number then.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Nash.

19. SENATOR NASH:

20. ...question.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. All right, I have three more speakers. Senator Philip.

23. SENATOR PHILIP:

24. Thank you, Mr. President, and Ladies and Gentlemen of the
25. Senate. And I think I'd like to set the record straight, Senator
26. Rock. You stated that the Governor was not only going to appoint
27. the Illinois Transit Authority, but the Suburban Transit Authority,
28. that is absolutely incorrect. If you would look at what he
29. passed out, he doesn't...appoint the Illinois Transit Authority,
30. five members, confirmed by the Senate. The Suburban Transit
31. Authority, five members are appointed by the Suburban-Cook County
32. Board Members, and at your request, the President of the Cook
33. County Board, they select also the suburban collar counties, the

1. county board president selects one from each county, the ten
2. of them select the chairman, making eleven members. You also
3. stated how hard your party has tried to keep the suburban trains
4. open. I might suggest to you that Lou Hill has done more to
5. shut down the trains than any single person in the State of
6. Illinois. As you'll remember, the Governor so graciously ad-
7. vanced the sales tax, some 7.9 million dollars. Lou Hill single-
8. handedly shoveled that right over to the defunk CTA. Also, you
9. know, it's very difficult for us suburbanites and downstaters to
10. vote for a State-wide, one cent sales tax increase, a liquor
11. tax increase, to once again bail out the City of Chicago. You
12. know, that is a very, very, very, difficult thing for us to do,
13. and a very difficult thing for us to support. If we let the
14. RTA run the suburban trains, the suburban buses with their fare
15. box, with the tax rate that they have, a quarter cent in the collar
16. counties, and suburban Cook, one cent, we would make money, it
17. would survive. What is sinking the whole system, you know it,
18. everybody knows it, is the mismanaged CTA, that is what's sinking
19. the whole system, Senator Rock. And quite frankly, we don't
20. like it. One of our biggest hangups, one of our biggest arguments
21. is oversight, exactly what this oversight committee can do. We
22. think it ought to have some teeth, and of course, you think it
23. ought to simply be able to review the budget four times a year.
24. Quite frankly, Senator Rock, that's not enough. We've argued about
25. the amount of money, and I'll tell you one thing, as you know,
26. Senator Shapiro supported..myself and seven other Senators to
27. study this problem, and we've been working on it for about nine
28. weeks, and we've had more experts, more testimony, more figures
29. than you will ever know. And I'll tell you one thing, in my judg-
30. ment, and the judgment on this side of the aisle, in our
31. committee, a hundred million dollars is too much. We think it's
32. too much, we know it's too much, but you can never, never give
33. the city enough. You could triple that, it wouldn't be enough.

1. You know, we have tried to work out a compromise, the Governor
2. has tried to work out a compromise, it's never enough. And
3. Senator Rock, you know, it's time that somebody sat down and
4. worked out a compromise, because I'm going to tell you, I don't
5. want the trains to shut down, I don't want the CTA to shut down,
6. I don't want the system to shut down. I've got a hundred and
7. forty thousand people in DuPage County who commute to the city
8. everyday. And you know what, it's a good place to live, it's
9. a good place to work, we want to keep it running.

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(END OF REEL)

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1. PRESIDENT:

2. Further discussion? Senator Bruce.

3. SENATOR BRUCE:

4. Thank you, Mr. President and members of the Senate. I'm
5. from downstate Illinois and I plan to vote for this amend-
6. ment and several people keep wondering why. First of all,
7. the money that we're talking about here is what we've talked
8. about in the past and that is, three thirty-seconds of the
9. sales tax raised in that area will go back to that area. And
10. that's hard to fight against and I was here in 1973 and '74
11. and '75 when we debated RTA, but to say that people get back
12. the money that they raised to run one of their own systems
13. is fairly logical. And this is not an additional tax, for
14. Senator Rhoads' information, it's just that the sales tax
15. presently in existence, we would divert three thirty-seconds
16. of that sales tax back to the mass transit district. Now,
17. we spent the whole Session here many of us greatly frustrated
18. in the shadow of RTA. Reapportionment probably is not going
19. to be done satisfactorily because of RTA, the budget is still
20. before us because of RTA and many of us think that if we could
21. get the RTA problem behind us, we could get to, in the last
22. four days, many of the problems facing the State of Illinois.
23. And it's very good that after five and a half months that there
24. is debate on the Floor for the first time in the Illinois Senate
25. about what to do about the RTA. And we had our first round in
26. which everyone was so nice and everyone just said, well Senator
27. Rock has made a proposal, ha-ha-ha, we're not going to vote
28. for that, go to something else. And we didn't debate that at
29. all, we spent probably fifteen minutes and here on June the
30. 26th is the first time this Senate has devoted one solid
31. hour of debate on the RTA and it's good. And we ought to
32. get about the business of what we're going to do with the RTA.
33. Now, we've had five guys for the last five and a half months,

1. Representative Ryan, Representative...Madigan, Senators Philip,
2. Walsh sort of alternating back and forth, Senator Rock and the
3. Governor. And they haven't come...up with any solution and
4. every one of those guys comes out of every one of those meetings
5. and say, well, we're not...we're not there yet, but not one
6. of them comes out of the meeting and says, by the way, in
7. that meeting the problem disappeared. We have sent a message
8. by telegram to the Legislature telling them not to worry
9. about the RTA because the problem no longer exists. They don't
10. say that. They just say the solution to the problem no longer
11. exists. We've got to do something. I don't know whether a
12. hundred and sixty million dollars...I haven't the foggiest
13. idea whether this is the best figure. Everyone wants to talk
14. about one sixty, one fifty-four, twenty-five, I don't care.
15. We have got to do something and I proposed in the Democratic
16. caucus yesterday that we propose this. There's no deal. No
17. one came down to the Governor and ran down there...they're
18. not going to pave Terry Bruce's district with concrete. I
19. don't have a hundred miles of highway in my district, because
20. I'm going to vote for this. I just think we have to do some-
21. thing. You know, the debate here kind of reminds me of what
22. happened when we first created this. You guys are talking
23. like we've got a Democratic Governor on the first floor...on
24. the next floor down there and that if we pass this out of here
25. tonight, wow, he's going to sign it. And the first thing you know
26. in the papers tomorrow, it'll say, RTA is...all the problems
27. are solved and that's not what it is. In case you don't
28. remember, Thompson is Republican and he's not going to sign
29. this. He's not going to sign this unless reorganization occurs,
30. unless cost controls...concur. All of those arm twisting events
31. are going to occur after this bill, if it does get out of
32. here. He's not going to sign this. I know it and you know
33. it. And so, don't be afraid. If Dan Walker were down there

1. and the Chicago Democrats and the...some of the suburbanites
2. would cut a deal, I would be worrying, but I'm not worried
3. because I know this is not going to be signed. Let me say,
4. I wish this problem would go away. I wish I didn't have to
5. vote on it tonight. The last thing I ever wanted to do when
6. I came down here was vote to bail out or work for the support
7. of the RTA, but I am convinced that this problem is not going
8. to go away. For those of you who think on July the 1st that
9. we're going to get to go home if this problem isn't solved,
10. you're not. It's here, it's with us, we have to face it and
11. some of us who don't even want to vote on it are going to
12. have to. Thank you, Mr. President.

13. PRESIDENT:

14. Further discussion? Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. Mr. President and Ladies and Gentlemen of the Senate, I
17. can concur with some of the remarks made by my colleagues
18. on the other side, but I think...that we've got to keep in
19. mind that the transit problems that we've had, and particularly
20. I've got them in my district with forty-eight thousand commuters,
21. do not stem from gross mismanagement of the Legislature, but
22. rather from the gross mismanagement and lack of attention to
23. cost control on the part of the managers of the RTA and the
24. CTA. I think Lewis Hill might be a charming Gentleman, but
25. I think he's been absolutely and totally inept and unqualified
26. to be the head of the RTA and it's causing my people a lot of
27. problems. It's very interesting to note that recent figures
28. show that the CTA employs a hundred and twenty-nine chauffeurs
29. at an annual average cost of three million dollars and this
30. expenditure is equal to the...entire annual RTA subsidy for
31. McHenry County. It's ironic, isn't it, that an agency established
32. to encourage public transportation allocates taxpayers' money
33. so that the managers of the...RTA and CTA can avoid using

1. the system they control. I am interested in good transportation
2. for my district. I have two train companies. I'm very con-
3. cerned, my people are concerned, but I don't think we're going
4. to learn or do anything by just feeding money piecemeal and
5. not getting a complete plan done that's going to be structured
6. properly. You've been blaming my Governor. Well, he's been
7. trying and trying to get this thing settled and so has Senator
8. Philip and his task force, but the rest of you only want more
9. money and more money. How about having your unions do the
10. same thing that the UAW did to help Chrysler? Tailor your
11. demands whether you are Republican or Democrat or live in
12. any of the suburbs. You deserve and we deserve. Demand and
13. demand accountability for the tax dollars and the choice is
14. not mine. I'm making my choice. I think the choice is all
15. of ours.

16. PRESIDENT:

17. Further discussion? Senator Grotberg.

18. SENATOR GROTEBERG:

19. Thank you, Mr. President. I don't...intend to talk for
20. long because I've been listening so intently, but I have probed
21. my home district and my home district, for the sake of the RTA,
22. would be Kane County. And I had a press reception last Monday
23. morning and the result of which all of the local papers said
24. call Senator Grotberg if you have an issue on the RTA...or
25. stand. The papers came out on Wednesday. Between Wednesday
26. afternoon and Thursday, I got four phone calls on the RTA
27. saying, no taxes. I got seven phone calls to restore the
28. licensing of horseshoers and that is the gospel truth. Now,
29. I will make a deal with you, Senator Rock...I will make a
30. deal with you. Last night Senator Totten and I offered the
31. meat ax amendment to public aid, which was no fun and is not
32. a pleasure, but within the five hundred and four million, if
33. we went all that way and crucified a lot of people, half of

1. that would be twice more than what you're looking for. And I
2. will make you a deal, Senator Rock, in front of fifty-eight
3. other Senators that if you, Senator Carroll, who I think is
4. offering this amendment or he offered the...the previous one,...
5. we've been negotiating with the providers, we've been negotiating
6. in such a manner that we hope that nobody suffers in the State
7. of Illinois for lack of medical attention, but if we can knock
8. another two hundred million out of public aid and maybe a couple
9. of others without hurting anybody, there will be no tax
10. increase and I can vote for the damn amendment...if we can
11. make the deal. And it would take a lot of hard work to be
12. sure that we protect the proper people in that amendment, but
13. that's where most of the taxpayers' money of the State...of
14. Illinois is going and I represent the heart side of that and
15. I want to save everybody I can. But by God the rip-off
16. artists are eating us alive and they're almost as bad as the
17. CTA and that is another dreaded disease and I don't want to
18. furnish money for that.

19. PRESIDENT:

20. Further discussion? Senator Coffey.

21. SENATOR COFFEY:

22. Well, Mr. President and members of the Senate, I was not going
23. to speak on this issue, but it seems to be the same tonight
24. as it has been since January when we come into Session that
25. we're talking about the CTA and the RTA. And Senator Bruce
26. talks about how bad it's been that we've taken...all this time
27. until tonight to start discussing issues on this Floor of the
28. Senate and they haven't discussed anything on this Floor of the
29. Senate about the downstate Road Program and I didn't hear him
30. mention that. Now, I don't know whether he's forgot where he
31. came from, but I hope he didn't because if he does, he won't
32. be back. Now, we've had problems down in our district, we've
33. had railroads closed. Every time it happens they say you got

1. to be fiscally responsible and no one's travelling on...using
2. those rail systems. They say if you want to be fiscally responsible,
3. you downstate, close them down. We closed the one from Paris
4. to Decatur Dam because it wasn't fiscally responsible. They
5. want to close the one from Paris to Lawrenceville because it's
6. not fiscally responsible. We've got roads down there that
7. bricks are showing up in the roads, but we haven't got time
8. in this Body to discuss downstate roads. Every time I've
9. met on this special task force, we've talked about nothing
10. but the problems of the CTA and the RTA and it's about time
11. that we talk about things that's in the other part of the
12. State instead of in the CTA and RTA area. And I'm getting
13. damned tired coming down here and spending all of my time
14. working on only those problems. If you want to recognize
15. our problems, I bit the bullet before and voted for some of
16. these projects, but I certainly don't intend to until you...
17. you are concerned about some things in our part of the State.
18. We've got...water problems in our area we've never been able
19. to address them. We wanted Middle Fork, no, we can't have
20. the Middle Fork Reservoir. We wanted the Lincoln Lake,
21. we've wanted a lot of things and we haven't got a damn thing,
22. except help bail you out with our tax money.

23. PRESIDENT:

24. Alright. Further discussion? There are two members who
25. have indicated they wish to speak for the second time, I'm
26. told. Senator Becker.

27. SENATOR BECKER:

28. Thank you, Mr. President and members of the Senate. For-
29. give me for rising again, but I think one of the most intelligent
30. suggestions that I've read since I've been part of this com-
31. mittee for the last nine weeks was made by the watchdog of
32. the taxpayers group, Eddie McCreight, in the little booklet
33. that everyone of us received. In that booklet it said, call

1. the unions in and ask them to go back to their people and agree
2. until we get this through this crisis to accept a ten percent
3. reduction in earnings to save forty million dollars, to accept
4. freezing wages for a period of one year, including the cost of
5. living for a period of one year, which would go from Chairman Hill to
6. Chairman Barnes down to the last little guy that washes busses
7. which would save better than a hundred million dollars for a
8. total of a hundred and forty million. Yet, all of us sit
9. back and say, Jesus, don't approach the unions. Gentlemen,
10. I represented seventeen thousand people in one location for
11. a period of twenty-three years at the Western Electric and I
12. represented a hundred and twenty thousand throughout the United
13. States for a period of nineteen years and I bargained both
14. locally and nationally and there were four times that I was
15. called in and told that we were in very serious trouble of
16. possibly closing the large plant in Illinois, because we were
17. working under money rates. I agreed with Western Electric to
18. reopen the contract immediately and negotiate a new wage
19. incentive plan which saved the plant. We're faced with that
20. same problem today and I am almost positive that any intelligent
21. union official, and we witnessed it right here in Springfield
22. last week when Bob Gibson, the President of the Operating
23. Engineers came down here and sat down intelligently when we
24. told him the State of Illinois is two hundred million dollars
25. ...or two...going to be two billion dollars in the red because of
26. unemployment insurance. When they faced the problem intelligently
27. they sat down with representatives of the Governor, representatives
28. of the union and we're going to be talking about an agreement
29. they made within the next few days to keep Illinois from paying
30. sixty to seventy million dollars a year in interest. As I'm
31. sure every little bus driver who is making twelve dollars an
32. hour plus six in fringe benefits plus the work load which will
33. be in the neighborhood of between four to six dollars an hour.

1. or we're looking at twenty-four dollars an hour on a bus driver,
2. would be willing knowing the condition our transportation
3. is in today. Many times as I've been told over the past
4. twenty-five years, a half a loaf is better than none. Just
5. last week when these ten thousand people met, they swarmed
6. into my office. Many of them were bus drivers who were already
7. laid-off from the West Towns Bus and they said, Leo, please
8. do what you can to get us back to work. I say, we have
9. fifty-eight, one ill, intelligent people in this Body. No
10. problem is so big in this State that there isn't a solution.
11. No one has to tell me how hard President Rock has worked, how
12. hard the Governor or Senator Shapiro or Weaver, because
13. everyone of us are involved in here everyday, but I say,
14. guys, let's not be at one another's throats, let's face the
15. problem and look it straight in the face. There is a solution,
16. if we sit down intelligently. Regardless of the color of our
17. skin, it makes no difference to me because I represented black
18. people as well as whites and many, many times throughout this
19. country many of my black people were promoted over the whites
20. because they were more qualified for that specific job and I
21. could sit down intelligently with both the blacks and the whites
22. and come out with a solution. So, I say to all of you, we've
23. got a little bit of time left yet, let's get our committees
24. together and let's come up with a solution, let's go back to
25. our districts and say we think we have found a long-term
26. solution with the help of labor, with the help of unions and
27. with the help of this Body of people on both sides, the House
28. and the Senate, let's go to work and let's come up with a good
29. answer, but, Senator Rock, I still can't support this amendment.
30. PRESIDENT:

31. Further discussion? Senator Nimrod.

32. SENATOR NIMROD:

33. Thank you, Mr. President. Ladies and Gentlemen of the Senate,

1. I think that we have seen here that by asking a question
2. encouraging a little discussion that we, in fact, find many
3. areas of agreement. We also have found that there have been
4. a number of proposals and that there are concerned individuals
5. on both sides who realistically and honestly want to solve
6. this problem. I think the time has come that we no longer can
7. meet in meetings and we no longer can meet with small groups.
8. We meet right here on this Floor as either a committee of the
9. whole or a group of the whole, make the proposals, make the
10. propositions and get in our caucuses, agree or disagree and
11. come out and make a step at a time. You know, we made a
12. proposal, and...I agree with you, Senator Rock,...we made a
13. proposal and we did not provide you with any financing mechanism.
14. The Governor, in fact, made proposals that encouraged both
15. financing and structure in more than one case. That's to his
16. credit. You're making proposals of financing and you're
17. leaving a great deal of doubt with us on the structures. So,
18. I think what we need to do here is find out that there are
19. areas of agreement and there are areas of concern that we can
20. come to some answers. And I would hope that rather than attempt
21. to pass this amendment, which, by the way, I think that is being
22. proposed to say a hundred and fifty-five million dollars is
23. going to come from where. Where are we going to be able to
24. get that money to replace it? Are we going to say it's going
25. to come out of the...well, I know we said General Revenue, but
26. the General Revenue is a spot that we're just not going to be
27. able to do much more and we even know the plight of what that
28. particular situation is. I think what we have to do is say
29. collectively, we know what the problems are, we know what we're
30. facing and let's reach some answers. You know, for those of
31. you who talk about the mass transit...you talk about what's
32. happening, I want to tell you, this...this Assembly, as far as
33. I've been here, and it's going to be coming ten years at the
34. end of this term, we have always subsidized the RTA or subsidized

1. the CTA, whatever it was every year. And it was what we pro-
2. vided...the thirty or sixty million dollars every time it
3. was up. When we...when we provided the five percent gas tax,
4. the parking tax, and the one cent sales tax, that took the
5. place of what would supposedly be the...the other items that
6. was being subsidized...and the RTA was going to be able to
7. run. But the incomes came down, the monies did not come in
8. and we have to realistically face that problem. And no one
9. opposed to putting money in for roads. All we got to do is
10. be honest enough to say where the money is going to come
11. from. Now, we can do that and we can solve that problem if
12. we do one thing and that is if we hold up this amendment,
13. Senator Rock, so that we can vote with you and vote together
14. on a sensible solution. There are a number of us on this side
15. and a number on the other side that sincerely no more want to
16. say we represent blocks. What we want to do is say we represent
17. a solution and that solution can come about by means of
18. compromise and come to an answer. So, rather than force us
19. to vote No and go on again the same way, why don't we just
20. say that we are going to agree to set up some time tomorrow
21. to make some proposals that we can agree to and maybe make
22. some progress on this whole solution. We've got a lot of
23. facts before us today that we've not had before. I think
24. Senator Becker has revealed that there are some...maybe
25. possible areas that we can get some give and take on the
26. part of the unions, we can get some give and take on the part
27. of the organizations, we can get some give and take on part of
28. the riders who can supply more money in their fares, we can
29. give and take on the part of those of...who are going to have
30. to bear the burden of taxes and I think those are the kind of
31. results that we need to do, but we ought to do it collectively.
32. And I want you to know that, I hope that...by forcing us to
33. vote on this issue...that we're not really going to make any

1. further progress. By presenting it, you have done...brought out
2. the issue on the forefront and hopefully we can come to a
3. solution.

4. PRESIDENT:

5. Further discussion? Senator Carroll may close.

6. SENATOR CARROLL:

7. Why, thank you, Mr. President and Ladies and Gentlemen
8. of the Senate. Let me just make a few comments in closing and
9. in rebuttal. I won't try to respond to all the misstatements
10. made on the Floor today on the debate on this. Let me just
11. suggest to you, you're talking about give and take and give
12. and take and give and give and give and give and maybe a
13. little bit of take. There have been proposals before this
14. General Assembly. Some of you have gone so far as to say yes
15. to the proposals, but no to voting for them. Proposals such
16. as mandatory cost containment, proposals such as hamstringing,
17. handtying the union on future negotiations, taking out such
18. things as cost of living and...et cetera, cutting runs that
19. weren't being used. All of these proposals were placed before
20. you. There was such a list floating around months ago and
21. hundreds of others and you all agreed and then said, but we're
22. not going to vote for it. We can't vote for it, even though
23. it's exactly what we've asked for. All in all what have we
24. had? An announced Governor's road program that does almost
25. nothing, helps no one, provides nothing, and is allowing a
26. million people to have no means of public transportation. Yes,
27. we're talking about money, but not a tax. Those of you who wish
28. to impose a tax as your only solution are taking from their own
29. people in many cases, as opposed to three...or 2.9/32nds
30. of what we are now paying...now paying in State sales tax.
31. Less than three thirty-seconds of what is now being contributed
32. in our region by us in an existing sales tax and you're saying,
33. no, go to seven percent or get nothing. We give, we give, we

1. give, nothing comes back. Thirty-one percent downstate of the
2. operating costs are paid for by some form of State grant subsidy
3. largess. Nothing in the RTA Region...nothing. You're paying
4. some seventeen percent of the operating costs from fare box
5. revenues and we're paying forty-five to fifty percent. That's
6. parity, not to me. What this is saying is what we are already
7. providing to the State. Let us have just under three thirty-
8. seconds of what we are doing instead of...maybe instead of
9. imposing another one cent sales tax State-wide. This may be
10. the solution to that. Not vote for another tax on yourselves
11. to provide mass transit, but get the busses running in Cicero,
12. keep Nortran going, keep the CTA and all the other RTA
13. carriers going so people can go to work, can be income pro-
14. ducers to this State to spend the money to give us the almost
15. three thirty-seconds. I would urge an Aye vote.

16. PRESIDENT:

17. Alright. Senator Walsh...asked earlier about the
18. appropriateness...of Amendment No. 18. The Chair is...is
19. prepared to rule that the amendment is in order...that it
20. is germane and that it does not contain substantive language
21. to the extent that it would rule it nongermane to an appro-
22. priation bill and I say that for the reason that in the whole
23. of the DOT appropriation each of the expenditures appears to
24. be qualified. For instance, Amendment No. 17, which is part
25. of the bill which was, in fact, adopted, the following named
26. sum of so much thereof, appropriated from the Downstate Public
27. Transportation Fund to the Department of Transportation for
28. additional eligible operating assisting expenses for Danville,
29. as provided by law. In other words, they...they are just...
30. the wording here is just qualifying the expenditure as is
31. done in virtually every section of this legislation and so I
32. would rule it's germane. Senator Carroll has moved to adopt
33. Amendment No. 18 to House Bill 621. Those in favor will vote

1. Aye. Those opposed will vote Nay. The voting is open. Have
2. all voted who wish? Have all voted who wish? Have all voted
3. who wish? Take the record. On that question, the Ayes are
4. 27, the Nays are 29, 1 Voting Present. Amendment No. 18 fails.
5. Further amendments?

6. SECRETARY:

7. Floor Amendment No. 19, offered by Senator Coffey.

8. PRESIDENT:

9. Senator Coffey.

10. SENATOR COFFEY:

11. Mr. President and members of the Senate, Amendment No. 19
12. increases the Transit B Bond by five million five hundred
13. thousand, which is an offset by five million five hundred
14. thousand reduction in GRF capital due to revised breakouts
15. on bondable projects. And I'd ask for a favorable roll call.

16. PRESIDENT:

17. Senator Gitz, this is the one you were screaming at me
18. about. Senator Gitz.

19. SENATOR GITZ:

20. Senator Coffey, this is strictly for new capital for
21. inner city rail?

22. SENATOR COFFEY:

23. The capital only.

24. PRESIDENT:

25. Senator Gitz.

26. SENATOR GITZ:

27. And its use and where it will be spent.

28. PRESIDENT:

29. Senator Coffey.

30. SENATOR COFFEY:

31. I'm sorry, I didn't hear the question.

32. PRESIDENT:

33. Senator Gitz.

1. SENATOR GITZ:

2. Its use for capital, where, what lines and what amounts?

3. PRESIDENT:

4. Senator Coffey.

5. SENATOR COFFEY:

6. It matches two hundred and twenty million in Federal funds.

7. PRESIDENT:

8. Senator Gitz.

9. SENATOR GITZ:

10. We have five Amtrak lines in this State, how much will
11. be used on any of those lines?

12. PRESIDENT:

13. Senator Coffey.

14. SENATOR COFFEY:

15. You're talking about...operating...capital in this...
16. operating rather than capital.

17. PRESIDENT:

18. Senator Gitz.

19. SENATOR GITZ:

20. I am aware that this is capital, but it's going to be
21. used in inner city rail and I assume that there's going to
22. be...some distribution of that money and I'd like to know where
23. it's going in the new capital. I do have some questions that
24. will relate to operations, but those will follow after these
25. answers.

26. PRESIDENT:

27. Senator Coffey.

28. SENATOR COFFEY:

29. As I understand, they have not published the rail program.
30. As soon as they have published that program, I will be glad
31. to give you a copy.

32. PRESIDENT:

33. Senator Gitz.

1. SENATOR GITZ:

2. In other words, we don't know where this is going to be used.

3. PRESIDENT:

4. Senator Coffey.

5. SENATOR COFFEY:

6. We know it's going to bystate and other downstate carriers.

7. Other than that, I can't answer anymore.

8. PRESIDENT:

9. Senator Gitz.

10. SENATOR GITZ:

11. Will this be used then for only mass transportation? Will
12. this be used in the inner city rail?

13. PRESIDENT:

14. Senator Coffey.

15. SENATOR COFFEY:

16. It'll be minimal on the...inner city rail.

17. PRESIDENT:

18. Senator Gitz.

19. SENATOR GITZ:

20. I will speak to this...in a moment, but...do you have or
21. does the department in this or any subsequent amendments have
22. any amendments that relate to inner city...rail operating
23. subsidies that would affect the previous committee amendment
24. that has been put on this bill?

25. PRESIDENT:

26. Senator Coffey.

27. SENATOR COFFEY:

28. No.

29. PRESIDENT:

30. Senator Gitz.

31. SENATOR GITZ:

32. Well, Mr. President, that has allayed one of my fears.
33. I would merely point out and this is certainly not in anyway

1. to be taken as a negative against Senator Coffey, who I've
2. always found to be...dealt with in good faith, but it makes
3. me very nervous that we're asked to approve an amendment with
4. the acknowledgement that we do not know how that's going to
5. be distributed because the documents have not yet been pub-
6. lished. I'm sure that...the Series B Bond...funds that are
7. under consideration here...have a good and prudent purpose,
8. but I would suggest to the membership that once again we're
9. asked to buy a pig in a poke, in a sense in the dark in
10. Amendment 19...because we're unable to figure out where that
11. money is going to be used and it seems to me that all of us,
12. and I'm sure Senator Coffey probably feels a little bit of
13. discomfort too...if we simply knew how that was going to be
14. distributed. And that's not saying that the amendment does
15. not have merit and it's just simply a comment for the record
16. that reiterates statements that have been made time and time
17. again, not only in this portion of the budget, but in other
18. portions of the budget.

19. PRESIDENT:

20. Any further discussion? Senator Coffey, do you wish
21. to close? Senator Coffey.

22. SENATOR COFFEY:

23. Yes,...yes,...Mr. President and members of the Senate,
24. I would just ask a favorable roll call and say this is a...a
25. transfer from...GRF to B Bonds...and ask for your...a favorable
26. roll call.

27. PRESIDENT:

28. Senator Coffey has moved the adoption of Amendment No. 19
29. to House Bill 621. Any discussion? If not, all in favor
30. signify by saying Aye. All opposed. The Ayes have it. The
31. amendment is adopted. Further amendments?

32. SECRETARY:

33. No further amendments.

HB 766
Roll Call
6-26-81

1. PRESIDENT:

2. 3rd reading. On the Order of House Bills 3rd reading,
3. House Bill 766. Senator Carroll seeks leave of the Body to
4. return that bill to the Order of 2nd reading for purposes of
5. an amendment. Is leave granted? Leave is granted. On the
6. Order of House Bills 2nd reading, House Bill 766, Mr. Secre-
7. tary.

8. SECRETARY:

9. Amendment No. 12, offered by Senator Carroll.

10. PRESIDENT:

11. Senator Carroll.

12. SENATOR CARROLL:

13. Can you identify it for me, Mr. Secretary?

14. SECRETARY:

15. On page 9, line 10.

16. SENATOR CARROLL:

17. Oh. Alright. This is the one for the suburban task force.
18. Are they both in one amendment? This is the one for the increase
19. in the suburban task force. That was one of those that was
20. floating in and out and we had to get it up to its appropriate
21. level. I would move adoption of Amendment No. 12.

22. PRESIDENT:

23. Senator Carroll moves the adoption of Amendment No. 12 to
24. House Bill 766. Any discussion? If not, all in favor signify
25. by saying Aye. All opposed. The Ayes have it. The amendment
26. is adopted. Further amendments?

27. SECRETARY:

28. Floor Amendment No. 13, by Senator Schaffer.

29. PRESIDENT:

30. Senator Schaffer. Is Senator Schaffer on the Floor? Senator
31. Grotberg.

32. SENATOR GROTBORG:

33. Yes, this adds a thousand dollars to the travel...for

1. the...for the Commission on Mental Health and Developmental
2. Disability and I move the adoption.

3. PRESIDENT:

4. Senator Grotberg moves the adoption of Amendment No. 13
5. to House Bill 766. Any discussion? If not, all in favor
6. signify by saying Aye. All opposed. The Ayes have it. The
7. amendment is adopted. Further amendments?

8. SECRETARY:

9. Floor Amendment No. 14, by Senator Carroll.

10. PRESIDENT:

11. Senator Carroll.

12. SENATOR CARROLL:

13. Thank you, Mr. President and Ladies and Gentlemen of the
14. Senate. The original purpose of the bill was the High-Rise
15. Fire Commission, which we took out 'cause the bill had not
16. survived, but it has now reinstated itself in the House and
17. I would move adoption of Amendment No. 14 to fund the original
18. ...purpose of the bill.

19. PRESIDENT:

20. Senator Carroll moves the adoption of Amendment No. 14 to
21. House Bill 766. Any discussion? If not, all in favor signify
22. by saying Aye. All opposed. The Ayes have it. The amendment
23. is adopted. Further amendments?

24. SECRETARY:

25. No further amendments.

26. PRESIDENT:

27. 3rd reading. On the Order of House Bills 3rd reading, House
28. Bill 811. Senators McLendon and Carroll seek leave of the Body
29. to return that bill to the Order of 2nd reading for purposes of
30. an amendment. Is leave granted? Leave is granted. On the Order
31. of House Bills 2nd reading, House Bill 811, Mr. Secretary.

32. SECRETARY:

33. Amendment No. 3, offered by Senator Carroll.

1. PRESIDENT:

2. Senator Carroll.

3. SENATOR CARROLL:

4. Thank you, Mr. President and Ladies and Gentlemen of the
5. Senate. After weeks of discussion with the providers and the
6. Department of Public Aid, we have come up with what appears
7. to be as close as we can to an agreement. There is still
8. some questions outstanding,...but this would be the basic
9. alternative to that which had been proposed in budget brown,
10. reds and reds as far as what type of treatment people would
11. be entitled to and what type of treatment the State would
12. pay for. And basically what this says is, that in order to
13. provide the necessary emergency room treatment, in order to
14. provide the necessary outpatient treatment, in order to pro-
15. vide the necessary clinical treatment at appropriate funding
16. levels so that hospitals throughout the State can, in fact,
17. give service, in order to still provide for that necessary
18. dental care, for that necessary podiatric care, for the
19. necessary chiropractic care, pharmaceutical,...optometry, et.cetera.
20. We have trimmed those back and at the same time said to the
21. hospitals, you are, in fact, overutilizing by keeping people
22. too long. We have moved from the fifteen day itself limitation
23. to instead saying, you must reduce utilization by fourteen
24. percent...fourteen percent of what the number of stay days
25. have been and we will only fund you the equivalent of that
26. eighty-six percent. If you meet that target, then you have
27. been fully reimbursed. If, in fact, you do not meet that target,
28. we will only fund you as if you had met those targets. There
29. are several other technical portions within this that carry-
30. out this mandate. I think this is not only a sane and sensible
31. approach, that saves the dollars necessary to be saved, but it
32. is also a humane approach. But once again we will allow in
33. Illinois people who are ill to be treated, to get the best

1. treatment possible, to do so in a timely and speedy manner, to
2. do it in the most economical way we know how and still give
3. them their canes and crutches, that the Governor wanted to
4. take away, so that if they need that to get out of the hospital
5. they can. And I would move adoption of Amendment No. 3.

6. PRESIDENT:

7. Is there any discussion? Senator Grotberg.

8. SENATOR GROTEBERG:

9. Well, thank you, Mr. President and Senator Carroll. A
10. couple of questions of the sponsor. Senator Carroll.

11. PRESIDENT:

12. He's...preoccupied at the moment.

13. SENATOR GROTEBERG:

14. Very good. Well,...first of all, I am duly informed by
15. the administration and his handlers that we're not quite happy
16. with this amendment. But, Senator Carroll, may I have your
17. attention?

18. PRESIDENT:

19. Indicates he will yield, Senator Grotberg.

20. SENATOR GROTEBERG:

21. Because of the confusion over what the drafting of the
22. amendment is we are now talking about a reduction of twelve
23. percent of days...average days stay in individual hospitals
24. or...what...what is the percentage?

25. PRESIDENT:

26. Senator Carroll.

27. SENATOR CARROLL:

28. No, Senator Grotberg, we've gone even further in order to
29. make sure we reach the monies to fourteen percent of the
30. number of days...the total number of days stay in a hospital.
31. We are mandating they reduce that by fourteen percent.

32. PRESIDENT:

33. Senator Grotberg.

1. SENATOR GROTBORG:

2. Thank you. I think that's the gist of the whole amend-
3. ment and then there's some variations around it. I would
4. like the record to show that...that...it's not a hundred
5. percent agreed amendment either, but it's a beginning. I
6. have no objections to the placing on of the amendment 'cause
7. it'll probably all get worked out another time in Conference
8. Committee. But it's been a very difficult process and...
9. objecting will not help it. Let's put it on and go.

10. PRESIDENT:

11. Further discussion? Senator Carroll, do you wish to
12. close?

13. SENATOR CARROLL:

14. Just briefly again. This has been very well worked out
15. by both sides as our alternative to the Governor's budget
16. proposals and I would urge its adoption.

17. PRESIDENT:

18. Alright. Senator Carroll moves the adoption of Amend-
19. ment No. 3 to House Bill 811. Any discussion? If not,
20. all in favor signify by saying Aye. All opposed. The Ayes
21. have it. The amendment is adopted. Further amendments?

22. SECRETARY:

23. Amendment No. 4, offered by Senator Totten.

24. PRESIDENT:

25. Is Senator Totten on the Floor? Is Senator Totten on the
26. Floor? Is Senator Totten on the Floor? Alright. Withdraw
27. the amendment. Further amendments?

28. SECRETARY:

29. Amendment No. 4, offered by Senator Grotborg.

30. PRESIDENT:

31. Senator Grotborg.

32. SENATOR GROTBORG:

33. Thank you. I have two amendments. The...the first one

1. that I have starts with copayments, is that correct,...on the
2. underlying language. Well, thank you, again, Mr. President
3. and fellow members. This is another thrust that will add up
4. to several millions of dollars under the item copayments. May
5. I read? The department may rule...may by rule provide that
6. recipients other than group care, and that's the nursing home
7. recipients, pay a fee as a copayment for services. Copayment
8. may not exceed one dollar for pharmacy services, physician
9. services, dental services, optical services and supplies...
10. and chiropractic services, podiatry services and then counter
11. rate clinic services. Here goes the next one, copayments not...
12. may not exceed three dollars for hospital outpatient and clinic
13. services provided, however, and then there's an escape clause for
14. the very ill, the renal dialysis, radiation therapy, chemo-
15. therapy, and insulin and other products necessary on a re-
16. curring basis the absence of which would be life threatening
17. and provided no...copayment shall exist for the emergency room
18. encounters, which are for medical emergencies. I move the
19. adoption.

20. PRESIDENT:

21. Any...Senator Grotberg has moved the adoption of Amendment
22. No. 4 to House Bill 811. Any discussion? Senator Schaffer.

23. SENATOR SCHAFFER:

24. Well, I would just echo that I think this is a reasonable
25. attempt to hold down costs. Over a dozen other states do it.
26. I think it would...prevent overutilization and probably get
27. to those areas...where those of us who have been on the Public
28. Aid Committee have seen the...the abuse of the system. I
29. think it's an extremely important...part of any responsible
30. cost containment program.

31. PRESIDENT:

32. Further discussion? Senator Berning.

33. SENATOR BERNING:

1. A question of the sponsor.

2. PRESIDENT:

3. Indicates he'll yield, Senator Berning.

4. SENATOR BERNING:

5. What...would you...explain again this per diem cost
6. containment item you're talking about? Who pays it, for
7. whom, and to whom?

8. PRESIDENT:

9. Senator Grotberg.

10. SENATOR GROTEBERG:

11. Thank you. Senator Berning, the amendment we just put
12. on has public aid recipients paying at least a dollar for the
13. minor things...and pharmaceuticals and at least three dollars
14. for hospital...admissions and...and other things. A small
15. token payment from the recipient. That's the amendment I
16. put on.

17. PRESIDENT:

18. Senator Berning.

19. SENATOR BERNING:

20. You...you put on two amendments.

21. PRESIDENT:

22. He hadn't put on any yet. This is Amendment No. 4.

23. SENATOR BERNING:

24. Well, I apologize, Mr. President, one never sees these
25. amendments, one tries to follow the dialog and it isn't always
26. that easy, particularly after twelve hours of sitting in these
27. comfortable chairs. I was under the impression from the comment
28. I heard that the supplier, and I was wondering how that could
29. possibly be,...a nursing home or somebody else would have to be
30. paying a dollar or three dollars for the victim. If that's
31. not correct, then I stand...to be corrected.

32. PRESIDENT:

33. Alright. Senator Grotberg has moved the adoption of

1. Amendment No. 4 to House Bill 811. Any discussion? If not,
2. all in favor signify by saying Aye. All opposed. The Ayes
3. have it. The amendment is adopted. Further amendments?

4. SECRETARY:

5. Floor Amendment No. 5, by Senator Grotberg.

6. PRESIDENT:

7. Senator Grotberg.

8. SENATOR GROTBORG:

9. Well, thank you, Mr. President and fellow members. You
10. might want to listen because I understand...I understand, Senator
11. Berning and others, I rely on you heavily on pensions and do
12. not have the books. Some of these amendments have only been
13. drafted within the last few hours because of the intense dia-
14. logue. I wish we could share it all with you. If you'll
15. listen, I'll tell you what it is. This gets down to...the...
16. what the hospitals are going to be paid and here it goes,
17. for the fiscal year beginning July 1, that's next week, the
18. Illinois department shall make payments under this article to
19. hospitals for inpatient services on the basis of reasonable
20. costs and that's the backup of Senator Carroll's amendment.
21. On the basis of reasonable cost, as defined in the Federal Social
22. Security Code. The amount paid under this article for inpatient
23. services rendered between October 1st, '81, now that gives them
24. ninety days...the hospitals...ninety days to get used to this
25. idea and July 31st, '82 for a total of nine months shall be the
26. lesser of the reasonable cost or to a hospital's per diem rate,
27. Senator Berning, which shall not be allowed to...increase
28. annually by more than eight percent. And that is the amendment
29. that I offer to help cap some of those costs.

30. PRESIDENT:

31. Senator Grotberg moves the adoption of Amendment No. 5 to
32. House Bill 811. Any discussion? If not, all in favor signify
33. by saying Aye. All opposed. The Ayes have it. The amendment

1. is adopted. Further amendments?

2. SECRETARY:

3. Amendment No. 6, by Senators Grotberg and Schaffer.

4. PRESIDENT:

5. Senator Grotberg.

6. SENATOR GROTBORG:

7. Is that...I just put the eight percent...eight percent...
8. that could be because we're out of order with withdrawing
9. Totten's. Is there one left over now or you...do you have
10. one in your hand?

11. SECRETARY:

12. On page 1 by deleting the title and inserting in lieu
13. thereof the following...

14. SENATOR GROTBORG:

15. It is...it's Grotberg-Schaffer? We withdraw it.

16. PRESIDENT:

17. Withdrawn. Further amendments?

18. SECRETARY:

19. No further amendments.

20. PRESIDENT:

21. 3rd reading. On the Order of House Bills 3rd reading,...
22. Senate...House Bill 972. Senator Carroll seeks leave of the
23. Body to return that bill to the Order of 2nd reading and that's
24. in the middle of page 7...or the bottom of page 7...to the
25. Order of 2nd reading for purposes of an amendment. Is leave
26. granted? Leave is granted. On the Order of House Bills 2nd
27. reading, House Bill 972. Mr. Secretary.

28. SECRETARY:

29. Amendment No. 2...

30. PRESIDENT:

31. Hold...hold it, Mr. Secretary. Mr. Washburn and company,
32. please. Mr. Secretary.

33. SECRETARY:

1. Amendment No. 2, offered by Senator Carroll.

2. PRESIDENT:

3. Senator Carroll.

4. SENATOR CARROLL:

5. Thank you, Mr. President and Ladies and Gentlemen of the
6. Senate. This amendment deals with the per diem that we, in fact,
7. received. It would raise from the current thirty-six dollars...
8. that amount to forty-eight dollars. And let me explain how
9. this was arrived at. The original per diem was to provide
10. for the average cost of hotel rooms here in Springfield, allow
11. for ten dollars for meals, plus ten dollars for incidentals,
12. which is what commissions were allowed, and that is how the
13. original figures were allowed. It was also based on what the
14. Federal allowable deductible amounts were. Since then, as we
15. all know, costs have escalated substantially here in Spring-
16. field for those hotel rooms. The average now being in excess
17. of thirty dollars at the State discount rate. Although that
18. would have put us up well over the fifty dollar limit, that
19. is imposed by the Federal Government, the Federal Government
20. says that you can deduct up to fifty dollars a day here in
21. Springfield without any itemization and we felt that by raising
22. it from thirty-six to forty-eight we have at least partially
23. accommodated the added price of staying and rooming here in
24. Springfield and not fully, only going about five of that ten
25. dollar increase and still kept it within the...Federal allowable
26. and...and lower than most of our companion industrial states.
27. I would move adoption of Amendment No. 2.

28. PRESIDENT:

29. Any discussion? Senator Rhoads.

30. SENATOR RHOADS:

31. Thank you, Mr. President...and members of the Senate. I
32. rise in support of Amendment No. 2. There has...not been any
33. increase in this per diem figure in almost eight years. It

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1. is four dollars higher than what was in my bill, but it's...
2. more accurately calculated and I urge an Aye vote.

3. PRESIDENT:

4. Senator Carroll moves the adoption of Amendment No. 2 to
5. House Bill 972. Any discussion? If not, all in favor signify
6. by saying Aye. All opposed. The Ayes have it. The amendment
7. is adopted. Further amendments?

8. SECRETARY:

9. No further amendments.

10. PRESIDENT:

11. 3rd reading. Senator Davidson on 1353. Is Senator David-
12. son on the Floor? Wish that bill recalled for the purpose of
13. an amendment? On the Order of House Bills 3rd reading is
14. House Bill 1353. Senator Davidson seeks leave of the Body to
15. return that bill to the Order of 2nd reading for purposes of
16. an amendment. Is leave granted? Leave is granted. On the
17. Order of House Bills 2nd reading, House Bill 1353. Mr. Secre-
18. tary.

19. SECRETARY:

20. Amendment No....Floor Amendment No. 4, offered by Senator
21. Bruce.

22. PRESIDENT:

23. Senator Bruce.

24. SENATOR BRUCE:

25. Thank you, Mr. President and members of the Senate. The
26. amendment has been distributed to each member of the Body. I
27. think about...at least...six or seven hours ago and the amend-
28. ment to the School Aid Formula that I have proposed would do
29. three things. It weights students in grades one through eight
30. at 1.03 and they're presently at 1.0. Now that does that in
31. both elementary districts and for elementary students who are...
32. attending schools in a unit district. It changes the Title I
33. weighting from .65 to .62 and it raises the qualifying rate for

1. high school districts from 1.05 to a dollar and eight cents.
2. It's really an attempt to equalize the distribution of school
3. aid funding throughout the State of Illinois. The flow of
4. dollars is generally to elementary and unit school districts
5. from Chicago and from the high school districts, I must admit
6. to that. In...1980 elementary districts were getting about
7. 16.8 percent. Under the new proposed formula, any of you who
8. have an elementary district...they will be getting as a percent
9. fewer dollars. In the high school district last year, they
10. got about 12.9 percent of the budget. This year they're going
11. to get a reduction to 12.6. The unit districts were at 38.6,
12. they go to 38.4. Chicago, however, goes from 31.7 percent of
13. the total budget to 32.5. I believe that under the amendment
14. that I am proposing the distribution will be more equitable
15. between elementary, high school and unit districts. I would
16. point out that there are thirty-five Senators on this Floor
17. that will benefit from this amendment. Senator Simms' Rockford
18. District will pick up four hundred and five thousand, Senator
19. Kent at Quincy will pick up eighty-six thousand dollars, Senator
20. Weaver in Champaign gains ninety-seven thousand, in Urbana
21. ninety-eight thousand, Senator Maitland at Normal School picks
22. up ninety-two thousand, Senator Bloom picks up two hundred and
23. twenty-eight thousand dollars for the Peoria School, Senator
24. Thomas, Moline picks up one hundred and thirteen thousand,
25. for Rock Island, a hundred and one thousand, Senator Rupp from
26. Decatur picks up a hundred and eighty thousand for the city,
27. two hundred and eighty thousand dollars additional money under
28. this amendment for the County of Macon, Senator Coffey in
29. Mattoon picks up forty-eight thousand, Senator Coffey for
30. Charleston picks up an additional thirty-six thousand dollars
31. under this amendment, Senator McMillan in Galesburg, his
32. school district adds seventy-six thousand dollars, Senator
33. Davidson in...in Springfield picks up a hundred and fifty-six

1. thousand and two hundred and seventy thousand additional
2. dollars for Sangamon County, for Senator Etheredge, his
3. Aurora west and east picks up two hundred and twenty-seven
4. thousand, Senator Friedland...at Elgin is the winner for
5. picking up three hundred and forty-four thousand dollars.
6. We did that, Senator, because Rosenbloom's children attend
7. that school. Senator Buzbee picks up for Jackson and Perry
8. Counties, thirty-five thousand, Senator Gitz for Carroll and
9. Jo Daviess Counties, a hundred and four thousand, Senator
10. Geo-Karis for Lake County Schools picks up a total of three
11. hundred and twenty-five thousand dollars. It will mean for
12. elementary schools an additional 4.7 million dollars, it
13. will mean for the school districts around the State of Illinois
14. increases in eight hundred and eighteen of those school districts
15. ...eight hundred and eighteen, it will mean that a hundred and
16. seventy-six school districts will have decreases and there
17. will be no change in seventeen. I believe that this amendment
18. in its identical form has already been adopted by the House,
19. either earlier today or yesterday, and I believe that they
20. have recognized the slight inequities in the present formula
21. and this amendment will read just a little bit of the money. I
22. would point out that Chicago...picked up about six and a half
23. million dollars today...through a bill that is passed here and
24. with that six and a half million, we are now doing equity and
25. that would mean that we would get back some of that money. I
26. would ask for your favorable vote on Amendment No. 4.

27. PRESIDENT:

28. Senator Bruce has moved the adoption of Amendment No. 4
29. to...wait just a minute...it's getting late...we have one, two,
30. three, four, five more motions and then eighteen bills and then
31. it'll be over. Senator Bruce has moved the adoption of Amend-
32. ment No. 4 to House Bill 1353. There are only nine people who
33. have requested to speak, Senator Hall, so just...Senator Becker.

1. SENATOR BECKER:

2. Thank you, Mr. President and members of the Senate.
3. Senator Keats presented a bill here today, House Bill 1252,
4. and, Senator Bruce, you made a statement that if this House
5. Bill passes Chicago would benefit and Cook County and down-
6. state would lose six and a half million dollars. My button
7. was pressed red, but immediately after that vote was taken
8. and the membership here voted Yes, I found out that your
9. statement wasn't true. My district, the 7th district, would
10. have lost three-quarters of a million dollars. I have the
11. figures and I received this immediately after the vote was
12. taken. Thank God my vote was changed on the record to Yes.
13. It's safe for me to go home. Under this bill, again, I
14. stand to be clobbered. Morton High School, two hundred and
15. ninety-four thousand, the grade schools in Cicero and Berwyn
16. plus two hundred and eighteen thousand or a total loss of
17. seventy-six thousand and I wonder if the figures that I'm
18. receiving are correct. If they are, I would have to vote
19. No.

20. PRESIDENT:

21. Further discussion? Senator Grotberg.

22. SENATOR GROTEBERG:

23. Thank you. A question of the sponsor, Mr. President.

24. PRESIDENT:

25. Indicates he'll yield, Senator Grotberg.

26. SENATOR GROTEBERG:

27. Senator Bruce, I'm trying to identify the friendly person
28. that came by and marked up my copy and handed it to me like
29. they did the rest, but I have five counties in my district.
30. Kane County seems to be a winner by a few thousand dollars,
31. but then I get down into LaSalle County and everything looks
32. nice and I get a thousand dollars here and a thousand dollars
33. there till I get to Streator and way over on the right-hand

1. column, I lose sixty-two thousand, I get to LaSalle-Peru,
2. which is Senator Sommers' and my town, eighty-eight thousand
3. lost, Ottawa, ninety-one thousand, which supersedes any gains
4. registered anywhere, and in Livingston County all the country
5. schools gain about eight dollars and a half, but Pontiac
6. High School loses fifty-one thousand dollars. I don't know
7. that it's all so good. I don't know who the hell put this
8. together.

9. PRESIDENT:

10. Further discussion? Senator Schaffer.

11. SENATOR SCHAFFER:

12. Well, I think we're talking...whenever we try to change a
13. formula, we're talking about shifting funds. At least in the
14. old days we used to make the pie bigger and...and we all used
15. to play...games with mirrors. Well, we don't have that much
16. money to pump into the formula so now we have to settle for
17. just shifting money from one type of unit to another...one
18. area to another. I would, frankly, present an argument for
19. this amendment on the basis of equity...simple fair play and
20. justice. The simple fact of the matter is, that it does, in
21. fact, as Senator...Grotberg mentioned...it does, in fact,
22. take some money from the high schools. The high schools have
23. been the big winners on the School Formula for as long as I
24. can remember and they came down here early in my legislative
25. career with...swords drawn and bayonets fixed and they got
26. the 1.2 weighting into the formula and we ain't seen them since.
27. And the reason we ain't seen them since is they're all up home
28. figuring out how much money they're going to make on the interest
29. they've got invested. I think of a couple of them I know that
30. have millions invested in Cook County...to the extent they
31. don't have property tax, I'm told. Now, there...that's only
32. one factor, but let me suggest to you that the principal reason
33. we should put this amendment on is, it helps elementary districts.

1. Now, you're probably very tired of hearing me say it, but
2. the School Problems Commission to which this formula is
3. evidently as sacred as...anything could be,...I don't know
4. whether it's ego or...or what...what their agenda is. I'm
5. getting more and more suspicious about the agenda of that
6. particular commission. We need to make a modest change.
7. This isn't a revolution, this is a modest change from, if
8. you will, the haves to the have nots. What I think is going
9. to happen, and I hope you'll all remember this, quite frankly,
10. is I think pretty soon we're going to start getting mail from
11. the high schools complaining about the quality of the kids
12. coming up from the grade schools, because the grade schools
13. haven't had the money to do the job. You know, bear it in
14. mind. This is a good amendment and all of the arguments I've
15. heard against it...really I haven't heard anything said thus
16. far that makes me waiver one inch.

17. PRESIDENT:

18. Further discussion? Senator Maitland.

19.
20. END OF REEL
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1. SENATOR MAITLAND:

2. Thank you, Mr. President, and Ladies and Gentlemen of the
3. Senate. I rise in opposition to this amendment. Senator Schaffer,
4. I don't know whether the...whether the formula is...is sacred to
5. the School Problems Commission or not, but you and I both know that
6. there are a lot of school people, not only Legislators, but school
7. superintendents and other people around this State who serve on
8. that commission, and who serve on that Finance Committee. And
9. one of the schools Senator Bruce mentioned, he was very careful
10. to mention, of course, the big winners in our districts by his
11. amendment, but that same district's superintendent stood in support
12. of the School Problems Commission proposal this year. Maybe a
13. little bit reluctant because there were a few minor problems, but
14. he voted for it, and supported it. I...I don't know what's about
15. to happen, there seems to be a tremendous interest in getting
16. this bill back to the House. We saw that happen the other day
17. when...when there was an attempt to keep that amendment on that
18. was put on in committee, an amendment that meant absolutely nothing
19. to the formula, nothing at all, would have had no impact at all.
20. But we for some reason wanted...wanted to get it back there.
21. Senator Schaffer, I'm not sure you're going to get what you want
22. when this bill goes to Conference Committee on the other side.
23. Title I, we addressed the Title I issue for one year, Senator Berman,
24. you agreed reluctantly to that shift of nearly seven million dollars,
25. as I recall. And yet the other day we debated the school problem
26. with Chicago, and I'm one downstater who worked diligently to
27. help that...that attempt to get that school system straightened
28. out two years ago. Now, we're setting about the task of taking
29. more money away from them, and Chicago you'd better listen to this,
30. because this is a toughy, I don't like sending you a lot of money,
31. but I also understand your problem. Relative to high schools having
32. a windfall, next year, next year things begin to change with enroll-
33. ment, and they're not going to have quite the windfall that they've

1. had, and elementary will begin to catch up. No one can dispute
2. the fact that it costs more to educate high school students than
3. it does elementary. Maybe the one versus 1.25 is too much,
4. possibly so, it ain't perfect, but I think the formula was very
5. carefully thought out, I think this amendment should be defeated,
6. and the bill should be passed.

7. PRESIDENT:

8. Further discussion? Senator Hall.

9. SENATOR HALL:

10. Thank you, Mr. Chairman...Mr. President, and Ladies and
11. Gentlemen of the Senate. Senator Bruce, I heard you rate...off a
12. lot of school districts who were gaining, but I look at this
13. and I see I lose three hundred and eighty-one thousand six
14. hundred and fifty-seven dollars. This doesn't appeal to me.

15. PRESIDENT:

16. Further discussion? Senator Sommer.

17. SENATOR SOMMER:

18. Mr. President, it's difficult to understand the Byzantine
19. workings of the School Problems Commission and the other players
20. in this game. I would ask a few questions, and if they're out of
21. ignorance it's because I simply don't know. Is the 1552.52 the
22. student support level, per student?

23. SENATOR BRUCE:

24. Senator...Senator Sommer...

25. PRESIDENT:

26. ...Senator Bruce.

27. SENATOR BRUCE:

28. We can short-circuit a lot of the questions if we just look
29. at the handout which I made fifty-nine copies and distributed to
30. every member. Right. If you look at the first column, if you just
31. label that as Berman, if you...label the second column as Berman
32. as amended, and the third column is the difference. And so what
33. we have in this printout is what you would get if we don't change it,

1. what you will get if you do change it. And...and to answer your
2. specific question, that is the support level, but all those are
3. various weighting factors that go into the whole system.

4. PRESIDENT:

5. Senator Sommer.

6. SENATOR SOMMER:

7. Is...is this predicated upon an assumption of...of a formula
8. bill that's substantially over the Governor's allocation?

9. PRESIDENT:

10. Senator Bruce. Senator...

11. SENATOR BRUCE:

12. This...this...this amount of money is exactly what we appro-
13. priated today, one billion five hundred and nineteen million dollars,
14. exactly to the dollar. Now, that's over the Governor's budget, and
15. I don't know what's going to happen as the Governor's budget goes
16. through here, but I had this drawn to reflect exactly what this
17. Body did in passing out the appropriation bill. And it would not
18. require any additional appropriation.

19. PRESIDENT:

20. Senator Sommer.

21. SENATOR SOMMER:

22. Just...just another question. In the event which is likely
23. that that bill is reduced, would that not exacerbate the losses
24. in the high school districts, reduce the gains in the elementaries,
25. and create a wash in many of these...these...these areas that
26. the printout shows?

27. PRESIDENT:

28. Senator Bruce.

29. SENATOR BRUCE:

30. If you would...prorate the units, then elementaries would get
31. less money, that's true, everyone would get fewer dollars to divide
32. up under whatever formula we decide on.

33. PRESIDENT:

1. Senator Sommer.

2. SENATOR SOMMER:

3. Well, would that not mean then, if I have a high school
4. district here, that's lost a hundred and fifty thousand dollars
5. when the cut goes on, 'cause it's going to go on, it's going
6. to be a hundred and seventy-five thousand dollars?

7. PRESIDENT:

8. Senator Bruce.

9. SENATOR BRUCE:

10. They would get a lesser amount. The thing that you want
11. to remember, Senator Sommer, is that the column that's not on here,
12. is what you would get under the present formula versus what you
13. would get under either one of these. I can't tell you where that
14. hundred and fifty thousand dollar cut is based upon, whether or
15. not you've had declining enrollment, there are a lot of other
16. factors. All I have for you, is to show you what you would have,
17. if you've got a district that's going to lose a hundred and fifty
18. thousand...there are winners and losers here. As Senator Schaffer
19. said, we don't have all the money in the world now, so I mean...
20. they...you are absolutely correct, if you have one that's lost
21. a hundred and fifty, they may lose more, I don't know what they
22. would do under the present formula if we didn't amend it. They
23. might have lost even a hundred and seventy-five thousand.

24. PRESIDENT:

25. Further discussion? Senator DeAngelis.

26. SENATOR DeANGELIS:

27. Thank you, Mr. President. It is utterly amazing to me, that
28. the machinations that go through this General Assembly in failing
29. to deal with the real evil that lurks, and that is, the inherent
30. geometrical, diabolical, permutations, of an inherently outmoded
31. formula. Now, Senator Bruce, you're trying to change something
32. and you can't do it because the formula, itself, doesn't work.
33. The reason high schools get more, is because of the way that the

1. formula works, the weighting does help it. And Senator Bruce,
2. all you are really doing, is pouring perfume on a pig.

3. PRESIDENT:

4. Further discussion? Senator Berman.

5. SENATOR BERMAN:

6. Thank you, Mr. President. I'm honored by my colleague,
7. Senator Bruce, that says column one is Berman, column two is
8. Berman amended, Berman is neither the sponsor of this bill, nor
9. the sponsor of this amendment, but I'll take some credit for
10. overlengthy debate on a subject that should have been put to
11. rest a long time ago. We have...there have been a few statements
12. made that I wish to correct, Senator Keats handled a bill this
13. afternoon, all that bill did was not give Chicago six million
14. dollars that they wouldn't have gotten, or shouldn't have gotten,
15. or never received. It was a bill that was passed with a majority
16. vote in this Senate, based upon a commitment made last year,
17. based upon a distribution authorized by the State Board of Ed-
18. ucation, and that political commitment and distribution was con-
19. tinued and not changed by that bill earlier today. Now, we see
20. an amendment, and Senator Schaffer, I am amazed, your quote is
21. that it...this amendment takes from the haves and gives to the
22. have nots. Well, Karl Marx wouldn't believe him either, and I'll
23. tell you this, this...the single most important item in the School
24. Aid Formula to a city like Chicago, and to a city like East St.
25. Louis, is the Title I weighting, that's where the big money comes
26. in because we give an extra benefit for the problems that poor
27. kids create in the teaching system. Chicago, under the School
28. Problems Commission Bill, that's 1353 unamended, column one,
29. has dropped from sixty-seven and a half percent, to sixty-five
30. percent. That two and a half percent is over seven million dollars
31. for Chicago. This amendment would cut them back an additional
32. three percent, which is an additional five million dollars cut
33. out of Chicago. And under the earmarking, and requirement of

1. targeting money; that's not only out of Chicago generally, out of
2. some neighborhoods that I may represent, or Carroll represents,
3. or Jerome Joyce represents...Jeremiah Joyce represents, but we're
4. talking about districts that Chew represents, and Newhouse repre-
5. sents, and Taylor represents. We're talking about the districts
6. where these kids have problems reading and writing. And if taking
7. five million dollars out of those kid's schools is taking from
8. the haves, and giving to the have nots, I don't understand what
9. is haves and have nots. The purpose of this amendment not only
10. is to take away from those areas that we've recognized a need,
11. but it's to put the bill back to the House where we may not re-
12. cognize what it looks like when it comes out. The bill should
13. not be amended, and I strongly urge a No vote on Amendment No.
14. 4.

15. PRESIDENT:

16. Senator Bruce may close.

17. SENATOR BRUCE:

18. Well, in...in response to Senator Berman, we're...talking
19. about the haves and the have nots, he didn't seem to worry too
20. much today when we talked about taking money out of downstate
21. schools and shipping it to Chicago. And Senator Becker, if I
22. misled you on the Cook County-City of Chicago distinction on
23. that, I apologize, the tax is collected county-wide. But the
24. largest beneficiary...Senator Becker, the largest beneficiary
25. of that change is the City of Chicago school systems since they
26. receive the large bulk of that money. Now, Senator Sommer asked
27. about what happens if we prorate, if we take the seven million
28. dollars, Senator Sommer, we've taken out of this, we're talking
29. about...and...and the Governor reduces it, we're talking about
30. four-tenths of one percent. And so, if you...you can multiply
31. that one hundred and fifty thousand by four-tenths of one
32. percent. I'm not on the School Problems Commission, and I don't
33. know where they are going with their particular formulas, but I

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1. do know that under the formula that is before this Body, we
2. are losing money in the downstate school systems, both in the
3. elementaries and in the unit districts. Right now, Chicago gets
4. 31.7 percent of every dollar we spend, under the new formula that
5. Senator Berman wants to keep talking about how much they've given
6. up, how many dollars they don't have, how the haves and the have
7. nots are being denied money, they're going to get 32.1 percent
8. of all the dollars that we have in this State. They've gained on
9. us. When you're talking about a billion dollars, those one
10. percent increases are substantial, and they're going from thirty-
11. one percent to thirty-two percent, and guys like Rupp and the
12. rest of us from downstate Illinois are getting less dollars. Now,
13. thirty-five of us on this Floor pick up money for our school
14. districts with this amendment, and no one denied that, no one
15. got up and said that that's not going to happen. And if this
16. amendment doesn't go on, the obverse of that is absolutely correct,
17. that thirty-five of you here with this formula are...will get
18. fewer dollars unless this amendment is adopted. It has, in fact,
19. been adopted in this exact, identical form on the Floor of the
20. House. And I would solicit your favorable vote.

21. PRESIDENT:

22. The question is the adoption of Amendment No. 4. Those
23. in favor of the amendment will vote Aye. Those opposed will
24. vote Nay. The voting is open. Have all voted who wish? Have
25. all voted who wish? Have all voted who wish? Take the record.
26. On that question, the Ayes are 19, the Nays are 38, 1 Voting
27. Present. Amendment No. 4 fails. Further amendments?

28. SECRETARY:

29. No further amendments.

30. PRESIDENT:

31. 3rd reading. Senator Newhouse on 1789. On the Order of
32. House Bills 3rd reading, the bottom of page 9, is House Bill 1789.
33. Senator Newhouse seeks leave of the Body to return that bill to the

1. Order of 2nd reading for purposes of an amendment. Is leave granted?
2. Leave is granted. On the Order of House Bills 2nd reading, House
3. Bill 1789. Mr. Secretary.

4. SECRETARY:

5. Amendment No...Floor Amendment No. 3 offered by Senator
6. Newhouse.

7. PRESIDENT:

8. Senator Newhouse.

9. SENATOR NEWHOUSE:

10. Thank you, Mr. Chairman. This is an Ambulance Inspection
11. Bill. We've just placed on it an amendment requested by the
12. Municipal League. And what...what it does, is except from the
13. operation of this legislation any ambulance owned, operated,
14. licensed, or regulated by any unit of local government. And
15. I would move its adoption.

16. PRESIDENT:

17. Senator Newhouse moves the adoption of Amendment No. 3.
18. Any discussion? Senator DeAngelis.

19. SENATOR DeANGELIS:

20. I've got to get back into my shoes. Senator Newhouse, I
21. don't have a copy of this amendment. Are you...this exempts the
22. municipal ambulances from what?

23. PRESIDENT:

24. Senator Newhouse.

25. SENATOR NEWHOUSE:

26. They are taken out from under the Statute entirely by the
27. operation of this amendment.

28. PRESIDENT:

29. Senator DeAngelis.

30. SENATOR DeANGELIS:

31. Well, I'll tell you, I have a lot of respect for the Municipal
32. League, but I...I really think that oftentimes they are their own
33. worst enemies. You know, we caught a lot of flack down here because

1. we did some things with ambulances to exempt them from inspections
2. to serve the purposes of the Municipal League, and we got caught
3. in a horrible scandal. I want to share with you an experience
4. of mine. I have a community which I will not name, and a very good
5. friend of mine who is a doctor, who was present at a party in which
6. a man far younger than myself suffered a heart attack. They called
7. the local...

8. PRESIDENT:

9. Senator Newhouse, for what purpose do you arise?

10. SENATOR NEWHOUSE:

11. I wonder if we can have some order, I'd really like to hear
12. what the Senator has to say and I think others of us would like to
13. hear the same thing.

14. PRESIDENT:

15. All right, turn the Senator's microphone up too, that might
16. help. Will the members please be in their seats. We really only
17. have a about less than an hour's work if we can get at it. Senator
18. DeAngelis.

19. SENATOR DeANGELIS:

20. I would like to share with you an experience that I had to
21. answer to an constituent. A very good friend of mine who is a
22. doctor happened to be at a party in a small community in my district
23. in which a man far younger than myself suffered a heart attack.
24. They called the municipal ambulance, the ambulance got there,
25. there were absolutely no life support systems in that ambulance,
26. the patient died. The doctor was absolutely appalled. Now, I
27. know quite frequently that we cannot ask these people to spend
28. these kinds of money to, in fact, put these...these life support
29. systems in. But I have to tell you, in my area, there are private
30. services that contract with a lot of communities to provide this
31. service. And I'm not out here to sell the ambulance services, but
32. I'm also not here to protect municipal governments who find it very
33. convenient to hire a patronage worker to drive a beatup stationwagon

1. that impersonates an ambulance. And I don't think that the Municipal
2. League is being fair to itself in asking for these kinds of ex-
3. emptions.

4. PRESIDENT:

5. Senator Davidson.

6. SENATOR DAVIDSON:

7. Mr. President, and members of the Senate. I raised objection
8. to this bill yesterday because what Senator DeAngelis spoke to,
9. we have already taken care of in what we passed in Senate Bill
10. 401, and we did work with the Municipal League which took care
11. of exemptions in relations to what had to be done, and to make
12. sure the necessary equipment and...facilities and equipment were
13. there. Since this does remove...the amendment removes the ob-
14. jection to the Municipal League, I intend to support this amend-
15. ment, and then support the bill in the amended form.

16. PRESIDENT:

17. All right, Senator Newhouse has moved the adoption of Amend-
18. ment No. 3 to House Bill 1789. Any discussion? If not, all in
19. favor signify by saying Aye. All opposed. The Ayes have it.
20. The amendment is adopted. Further amendments?

21. SECRETARY:

22. No further amendments.

23. PRESIDENT:

24. 3rd reading. On the Order of House Bills 3rd reading, is
25. House Bill 1812, top of page 10. Senator Davidson seeks leave
26. of that Body to return this bill to the Order of 2nd reading for
27. the purpose of Tabling an amendment. Is leave granted? Leave
28. is granted. Mr. Secretary.

29. SECRETARY:

30. Amendment No. 3.

31. PRESIDENT:

32. Senator Davidson.

33. SENATOR DAVIDSON:

1. Mr. President, I move to reconsider the vote by which Amend-
2. ment No. 3 was...was adopted. So...Table the amendment which was
3. in error yesterday.

4. PRESIDENT:

5. All right, Senator Davidson has moved to reconsider..having
6. voted on the prevailing side moves to reconsider the vote by which
7. Amendment No. 3 to House Bill 1812 was adopted. Any discussion?
8. If not, all in favor signify by saying Aye. All opposed. The Ayes
9. have it. The vote is reconsidered. Senator Davidson now moves to
10. Table Amendment No. 3 to House Bill 1812. All in favor signify
11. by saying Aye. All opposed. The Ayes have it. Amendment No. 3
12. is Tabled. Are there further amendments?

13. SECRETARY:

14. No further amendments.

15. PRESIDENT:

16. 3rd reading. If you'll turn to page 5 on the Calendar, top
17. of page 5. Earlier today we dealt with House Bill 536, Senator
18. Weaver. There's a motion filed by Senators Friedland and
19. McMillan to reconsider the vote by which House Bill 536 was
20. declared lost. Senator Weaver.

21. SENATOR WEAVER:

22. Thank you, Mr. President. This is the annual budget for the
23. Office of the Governor. I...I move to reconsider the vote by which
24. ...536 lost.

25. PRESIDENT:

26. All right, Senator Weaver has moved to reconsider the vote
27. by which 536 lost. Those in favor of the motion to reconsider
28. will vote Aye. Those opposed will vote Nay. The voting is open.
29. The motion is to reconsider. Have all voted who wish? Have all
30. voted who wish? Have all voted who wish? Take the record. On
31. that question the Ayes are 54, the Nays are 1, none Voting Present.
32. The motion to reconsider carries. The bill is now before...again
33. before the Body. All right, on the Order of House Bills 3rd reading,

1. top of page 7. Senator Bruce has filed a motion to reconsider the
2. vote by which House Bill 852 was declared lost. Senator Bruce.
3. SENATOR BRUCE:

4. Thank you, Mr. President. Having voted on the prevailing
5. side on House Bill 852, I move to reconsider the vote by which
6. that bill lost.

7. PRESIDENT:

8. Any discussion? Those in favor of the motion to reconsider
9. will vote Aye. Those opposed will vote Nay. The voting is open.
10. Have all voted who wish? Have all voted who wish? Have all voted
11. who wish? Take the record. On that question, the Ayes are 44,
12. the Nays are none, none Voting Present. The motion to reconsider
13. prevails. That bill is again before the Body. Senator Demuzio,
14. has a motion to reconsider the vote by which House Bill 1371 was
15. declared lost. Senator Demuzio.

16. SENATOR DEMUZIO:

17. Well, thank you, Mr. President. Having voted on the prevailing
18. side I move to reconsider the vote by which House Bill 1371 was
19. ...was declared lost.

20. PRESIDENT:

21. All right, you've heard the motion. Any discussion? Senator
22. Simms.

23. SENATOR SIMMS:

24. Mr. President, and Ladies and Gentlemen of the Senate. I
25. rise against this motion. This is the liquor in the park bill that
26. took up an hour and a halfs time yesterday, of the Senate in debate.
27. There's considerable discussion on both sides of the aisle. The
28. issue was not passed by this Body, and it would be my feeling that
29. this is just going to go into a protracted long debate on an issue
30. that should have been dealt with in its final action yesterday.
31. I would urge that the House...that the Senate not reconsider House
32. Bill 1371.

33. PRESIDENT:

1. Further discussion? Senator Egan.

2. SENATOR EGAN:

3. Yes, thank you, Mr. President, and members of the Senate.
4. Well, let me say that after the long debate there was still
5. confusion, and...I think perhaps Senator Simms is still confused
6. over the bill, but I rise in support of the motion. There...
7. there...it's a simple bill, let's...let's give it its due. And
8. I ask for your...your support.

9. PRESIDENT:

10. The question is on the motion to reconsider the vote by which
11. House Bill 1371 was declared lost. Further discussion? Senator
12. Mahar.

13. SENATOR MAHAR:

14. Thank you, Mr. President, and members of the Senate. Well,
15. I don't think I'm confused on this issue, because we've had this
16. before us in the House on several occasions. What it simply is,
17. is expanding the ability to sell alcoholic beverages in every
18. building in the parks. Now, as we stated yesterday, and as Senator
19. Simms said, we spent a considerable period of time discussing
20. this issue, and what it really means to people. It means that
21. local liquor establishments who pay a high...a high price for
22. their liquor license must compete with public bodies who they
23. support through their tax dollars. It means that you're having
24. liquor available in parks throughout the State of Illinois where
25. it shouldn't be because you have children and people there on
26. picnics. It brings in the kind of operations such as weddings
27. and social events that there are plenty of places, I think, to
28. serve that type of thing. There's really no need to expand our
29. system to allow liquor to be sold at all public buildings in parks
30. throughout the State of Illinois. You know, if we keep on doing
31. this, the only place left is the cemeteries, and maybe we ought
32. to have it there too.

33. PRESIDENT:

1. Further discussion? Senator Rhoads.

2. SENATOR RHOADS:

3. Just a brief question of the Chair, Mr. President.

4. PRESIDENT:

5. Yes.

6. SENATOR RHOADS:

7. Is there any time limit on which a...this kind of a motion
8. can be filed? The...I...

9. PRESIDENT:

10. Yes, this motion was, in fact, filed immediately after the
11. loss...

12. SENATOR RHOADS:

13. It was filed yesterday?

14. PRESIDENT:

15. My understanding is, under the rules, that it's got to be
16. on the same day or the next succeeding day, within that time frame.
17. Senator Johns.

18. SENATOR JOHNS:

19. Well, Mr. President, I...I try to remain a little bit calm
20. but I get tired of having to eat this kind of legislation. I'm
21. disgusted that's it's brought up again, and again, and again, and
22. just...like you're trying to pour it down somebody's throat all
23. the time. It's not right, it's not fair, we ought to be allowed
24. to have something that's owned by the State of Illinois whereby
25. we can take our families and go there and expect to be treated
26. decently, and not have to look around and see everything in...in
27. a terrible order, and have people allowed to get alcohol and be-
28. come out of place, and out of mind, and cause us not to ever want
29. to go there again. The attendance at the parks is going to drop
30. off, our damage is going to increase, what's decent people got
31. left anymore? I don't see why with all the places in the State
32. of Illinois, that you can have your liquor and your drinks, it's
33. become such a way of life that I know. I'm on the losing end,

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1. but it seems like to me with all the damage and...and terrible
2. havoc that erects with families and so forth, that we have to
3. continually come back here and look at this kind of legislation.
4. I don't know where we're going, but we're not far from being in
5. terrible chaos in this country as a result of this kind of
6. legislation.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. All right, the Chair would remind the Body that we have
9. before us the motion to reconsider, not the Bill itself. Further
10. discussion? Senator Buzbee.

11. SENATOR BUZBEE:

12. Yes, thank you, Mr. President. I would remind the Senator
13. from Williamson, that on a previous amendment today that was de-
14. feated twice, he brought it up a third time. So, this is an amend-
15. ment that is being brought up a second time, it was defeated once,
16. and I think Senator Egan ought to have his shot.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? The question is on the motion to re-
19. consider the vote by which 1371 was lost. On that question, those
20. in favor will vote Aye. Those opposed will vote Nay. The voting
21. is open. It will require thirty affirmative votes for passage...
22. to reconsider...to reconsider. Have all voted who wish? Have
23. all voted who wish? Have all voted who wish? Take the record.
24. On that question, the Ayes are 28, the Nays are 24...25. The
25. motion to reconsider is lost. That concludes the recalls, we
26. will now go back to the eighteen bills that have been recalled
27. today for passage. The first bill on the call will be House Bill
28. 291 under Senator Marovitz's sponsorship. Read the...read the bill,
29. Mr. Secretary, please.

30. SECRETARY:

31. House Bill 291.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Marovitz. May we have some order, please. Senator
3. Marovitz, are you ready? 291.

4. SENATOR MAROVITZ:

5. Yes, we are, your Honor.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator D'Arco.

8. SENATOR D'ARCO:

9. Well...

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. You have put substantial amendments on this, could you help.
12. Senator Marovitz?

13. SENATOR D'ARCO:

14. Yes, maybe I could help him out a little bit. Yes, what
15. we did...with the bill as presented, was for a Chicago and police-
16. men and firemens' pension fund increase for the survivors and the
17. annuitants. And that amendment was completely gutted in the bill,
18. and the Cook County amendment was placed on the bill, which was
19. a increase of three percent for the annuitants and the survivors.
20. And then the Chicago amendment for the policemen and the firemen
21. was worked out, and then that only included the survivors. And
22. then we amended it to include other things, including the legis-
23. lative amendment for the transfer of credit time from other pension
24. systems for Legislators as well as the eighty-five percent increase.
25. There are other amendments, one allows a judge to draw a pension
26. as a State judge when he is a sitting Federal judge. The other
27. amendment is the pay back amendment, which allows a person to pay
28. back after a year in service in a pension system. And those are
29. principally, if not all the amendments on the bill. And I think
30. Senator Marovitz would move to...a favorable vote on House Bill
31. 291.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Marovitz.

1. SENATOR MAROVITZ:

2. The...the...the amendments that are on this bill have been
3. debated. The Cook County amendments, the...the police and fire
4. amendments, the pension amendments for the legislative increase, and...

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. May we have some order, please. Senator Marovitz.

7. SENATOR MAROVITZ:

8. We've debated this at great length tonight...the amendments
9. that were put on this bill. And I would ask for an affirmative
10. roll call on House Bill 291.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there discussion? Senator Simms.

13. SENATOR SIMMS:

14. Would the sponsor yield for a question?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. All right.

17. SENATOR SIMMS:

18. Senator, who wants this bill the most?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Marovitz.

21. SENATOR MAROVITZ:

22. I think the...the widows of the policemen and firemen, in
23. the Cook County area.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. All right. Is there further discussion? The question is,
26. shall House Bill 291 pass. Those in favor vote Aye. Those opposed
27. vote Nay. The voting is open. Have all voted who wish? Have
28. all voted who wish? Have all voted who wish? Have all voted who
29. wish? Take the record. On that question, the Ayes are 31, the
30. Nays are 27, none Voting Present. House Bill 291, having received
31. the required constitutional majority is declared passed. For
32. what purpose does Senator Buzbee arise?

33. SENATOR BUZBEE:

1. Just to say it looks like I lost.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. All right. The next bill on the call is House Bill 333,
4. Senator Hall. Just the recall, Senator? Just the recalls. All
5. right, 394. House Bill 394, on page 3 of your Calendar. Senator
6. Hall, you did not recall that, do you wish to roll it? 439,
7. Senator Coffey. Information appropriation. This is it, Gentlemen,
8. I would remind you we have an hour and forty-five minutes to pass
9. eighteen bills. 439. Read the bill, Mr. Secretary, please.

10. SECRETARY:

11. House Bill 439.

12. (Secretary reads title of bill)

13. 3rd reading of the...4th...3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Coffey.

16. SENATOR COFFEY:

17. Mr. President, and members of the Senate. This is the appro-
18. priation for the current reapprops, for the total amount of one
19. ...one billion two hundred and thirteen million and thirty-six
20. thousand eight hundred dollars. I'd ask for a favorable roll call.
21. I'd be glad to answer any questions.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there discussion? The question is, shall House Bill 439
24. pass. Those in favor vote Aye. Those opposed vote Nay. The voting
25. is open. Have all voted who wish? Have all voted who wish? Have
26. all voted who wish? Take the record. On that question, the Ayes
27. are 38, the Nays are 14, 1 Voting Present. House Bill 439, having
28. received the required constitutional majority is declared passed.
29. House Bill 491, Senator Davidson. Read the bill, Mr. Secretary,
30. please.

31. SECRETARY:

32. House Bill 491.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Davidson.

4. SENATOR DAVIDSON:

5. It's the annual appropriation for the State Board of Educa-
6. tion operations. Appreciate a favorable roll call.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The question is, shall House Bill 491 pass. Those in favor
9. vote Aye. Those opposed vote Nay. The voting is open. Have all
10. voted who wish? Have all voted who wish? Have all voted who wish?
11. Take the record. On that question, the Ayes are 39, the Nays are
12. 12, 2 Voting Present. House Bill 491, having received the required
13. constitutional majority is declared passed. House Bill 494,
14. Senator Buzbee. Read the bill, Mr. Secretary, please.

15. SECRETARY:

16. House Bill 494.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Buzbee.

21. SENATOR BUZBEE:

22. Thank you, Mr. President. This is the appropriation for the
23. non-mandated categorical grants for the State Board of Education.
24. A total appropriation of one...fifty-one million one hundred twenty-
25. three thousand dollars. And I would move...I would ask for a
26. favorable roll call.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. The question is, shall House Bill 494 pass. Those in favor
29. vote Aye. Those opposed vote Nay. The voting is open. Have all
30. voted who wish? Have all voted who wish? Take the record. On
31. that question, the Ayes are 43, the Nays are 8, none Voting Present.
32. House Bill 494, having received the required constitutional majority
33. is declared passed. House Bill 536. Mr. Secretary. 495 is already

1. passed. 436 was on the Order of Postponed Consideration...536.
2. All right, pick those up at the end. 588, Mr. Secretary. Senator
3. Schaffer's bill. Read the bill, Mr. Secretary, please. If...what
4. we are going to do, is take...if you will take this list out that
5. we've worked on the recalls, we are going to go right down that
6. list, all the bills that were recalled. The Chair was going to
7. substitute the two bills that were taken off of Postponed Consid-
8. eration, but I've been advised otherwise. We will go right...right
9. down the list of recall bills. And I don't believe I've skipped
10. anything. Right, it was reconsidered, Senator, it was never on
11. Postponed. And it...well, Senator Weaver, why don't you talk to
12. Senator Rock just for a moment. What...what we are going to do
13. is take the recalls in order, and then pick up those three...bills
14. at the end of the...at the call, the reconsiderations. 588, read
15. the bill, Mr. Secretary, please.

16. SECRETARY:

17. House Bill 588.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Schaffer.

22. SENATOR SCHAFFER:

23. Mr. President, and members of the Senate. This bill...Senate
24. ...or House Bill 588 more commonly referred to as the State budget,
25. is three billion eight hundred and ninety-seven million seven hundred
26. eighty-four dollars and fifty cents. It's got a lot of departments
27. in it, and it's headed for a Conference Committee. Appreciate a
28. favorable roll call.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question is, shall House Bill 588 pass. Those in favor
31. vote Aye. Those opposed vote Nay. The voting is open. Have all
32. voted who wish? Have all voted who wish? Have all voted who wish?
33. Have all voted who wish? Have all voted who wish? Have all voted

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3rd Reading

1. who wish? Take the record. On that question, the Ayes are 32,
2. the Nays are 14, 8 Voting Present. House Bill 588, having received
3. the required constitutional majority is declared passed. House
4. Bill 591, Senator Weaver. Read the bill, Mr. Secretary, please.

5. SECRETARY:

6. House Bill 591.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Weaver.

11. SENATOR WEAVER:

12. Thank you, Mr. President. This is the appropriation for the
13. Department of Conservation and Institute of Natural Resources. Total
14. amount of forty-three million nine hundred and thirteen thousand
15. five hundred dollars. I'd appreciate a favorable roll call.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The question is, shall House Bill 591 pass. Those in favor
18. vote Aye. Those opposed vote Nay. The voting is open. Have all
19. voted who wish? Have all voted who wish? Have all voted who
20. wish? Take the record. On that question, the Ayes are 45, the
21. Nays are 3, 7 Voting Present. House Bill 591, having received
22. the required constitutional majority is declared passed. House
23. Bill 621, Senator Coffey. Read the bill, Mr. Secretary, please.

24. SECRETARY:

25. House Bill 621.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Coffey.

30. SENATOR COFFEY:

31. Yes, Mr. President, and members of the Senate. House Bill
32. 621 appropriates one billion four hundred and seventy million five
33. hundred and ten thousand dollars for the following agencies.

1. Industrial Commission, four million five hundred and eleven thousand
2. six dollars. The Department of Transportation, one billion three
3. hundred and six million two hundred and forty-one thousand and two
4. dollars. Department of Labor, one hundred and fifty-six million
5. one hundred and six thousand nine dollars. Arts Council, three
6. million six hundred and fifty thousand and three dollars. For
7. a total of one billion four hundred and seventy million five
8. hundred and ten dollars. I'd ask for a favorable roll call.
9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion? Senator Savickas.
11. SENATOR SAVICKAS:

12. Well, I would just like to remind the members, Mr. President,
13. that they obviously can't solve many of our problems, and here we're
14. going to pass out a billion dollar budget for transportation, and
15. these other budgets. They don't want to vote this, let...let them
16. take care of this matter. And I'd suggest that the Democrats stay
17. off of this bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Further discussion? Senator D'Arco.
20. SENATOR D'ARCO:

21. If Senator Coffey's tired of paying taxes for the RTA, well
22. I'm tired of paying taxes for downstate transportation.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussion? Senator Totten.
25. SENATOR TOTTEN:

26. Thank you, Mr. President, and Ladies and Gentlemen of the
27. Senate. I'm tired of paying taxes for the Arts Council.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Further discussion? The question is,
30. shall House Bill 621 pass. Those in favor vote Aye. Those opposed
31. vote Nay. The voting is open. Have all voted who wish? Have
32. all voted who wish? Have all voted who wish? Have all voted who
33. wish? Have all voted who wish? Take the record. On that question,

1. the Ayes are 33, the Nays are 7, 18 Voting Present. House Bill
2. 621, having received the required constitutional majority is de-
3. clared passed. House Bill 697, Senator Rhoads. Senator Savickas,
4. I would not want to deny you the right to verify a roll call.
5. Senator, why don't we move to 697, you could get your verification
6. on that one. All right. There's been a request for a verification.
7. Will the members please be in their seats. Will the Secretary
8. please call those who voted in the affirmative.

9. SECRETARY:

10. The following...following voted in the affirmative:

11. Becker, Berning, Bloom, Bowers, Bruce, Coffey, Davidson,
12. Degnan, Demuzio, Donnewald, Egan, Etheredge, Grotberg, Jeremiah
13. Joyce, Keats, Kent, Mahar, Maitland, McLendon, McMillan, Netsch,
14. Newhouse, Nimrod, Ozinga, Philip, Rhoads, Rupp, Schaffer, Simms,
15. Thomas, Vadalabene, Walsh, Weaver, Mr. President.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Savickas, do you question the presence of any member?

18. SENATOR SAVICKAS:

19. Yes, Senator Berning?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Berning on the Floor? Senator Berning? Strike his
22. name.

23. SENATOR SAVICKAS:

24. Senator...Senator Mahar came back.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Yes, Senator Mahar is back on the Floor.

27. SENATOR SAVICKAS:

28. Senator Maitland?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Maitland on the Floor? Talking to the press.

31. SENATOR SAVICKAS:

32. Thank you, Mr. President.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Thank you. I'm sorry, Senator Savickas, I didn't hear
2. your request. I have differential hearing problems sometimes.
3. On a verified roll call, there are 32 Ayes...would you add
4. Senator Berning back to the roll call. All right, just...
5. all right, on a verified roll call, there are 34 Ayes, 7,
6. Nays, 17 Voting Present. And House Bill 621, having received
7. the required constitutional majority is declared passed. 697,
8. Mr. Secretary. For what purpose does Senator Jeremiah Joyce
9. arise?

10. SENATOR JEREMIAH JOYCE:

11. A point of order, Mr. President. Maybe Senator Savickas
12. could just tell us what bill he wants to kill, and we could make
13. this...a lot simpler.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Read the bill, Mr. Secretary, please.

16. SECRETARY:

17. House Bill 697.

18. (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Rhoads.

22. SENATOR RHOADS:

23. Thank you, Mr. President, and members of the Senate. House
24. Bill 697 appropriates one billion two hundred and seventy-four
25. million seven hundred and fourteen thousand six hundred dollars
26. to five agencies. For the Board of Elections, four...four million
27. five hundred and forty-five thousand four hundred. The Department
28. of Revenue, one billion one hundred and twenty-three million. For
29. the Administrative Services, a hundred and forty-three million.
30. Bureau of the Budget, two million six hundred and eighty-nine
31. thousand. And for the Civil Service Commission, three hundred and
32. five thousand four hundred dollars. I would seek a favorable vote.

(Following typed previously)

HB 766
3rd Reading

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. The question is shall... Discussion of the question?
3. Shall House Bill 697 pass. Those in favor vote Aye. Those
4. opposed vote Nay. The voting is open. Have all voted who
5. wish? Have all voted who wish? Take the record. On that
6. question the Ayes are 46, the Nays are 6, 2 Voting Present.
7. House Bill 697 having received the required constitutional
8. majority is declared passed. House Bill 766, Mr. Secretary,
9. please. Senator Carroll.

10. SECRETARY:

11. House Bill 766.
12. (Secretary reads title of bill)
13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President. I'm sorry, Ladies and Gentlemen
18. of the Senate, this twelve thousand dollar commission has now
19. grown to thirteen million, four hundred and fifty thousand,
20. four hundred dollars of General Revenue funds and a hundred
21. and sixty-five thousand, four hundred dollars of Federal
22. funds for various high-rises, otherwise known as all of the
23. commissions of State Government. I would ask for a favorable
24. roll call.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Keats.

27. SENATOR KEATS:

28. I know in a thirteen billion dollar budget, this isn't
29. that much, but this has got the trip to Europe and the trip
30. to California for the Special Events Commission. We were kind
31. enough to kill it earlier, why don't we kill this SOB and
32. let them bring it up in conference committee so we can get
33. some of the trash thrown out of this thing.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Totten.

3. SENATOR TOTTEN:

4. Thank you, Mr. President, Ladies and Gentlemen of the
5. Senate. In one fell swoop here, we can do a great service to
6. the General Assembly and the people by abolishing a whole
7. host of commissions, most of which are no more meritorious
8. than what Senator Keats has just illustrated in regards to
9. the Special Events Commission. This is a good way to provide
10. some extra money for some things that are a lot more important
11. and I would suggest a No vote.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The question is shall House Bill 766 pass. Those in
14. favor vote Aye. Those opposed vote Nay. The voting is open.
15. Have all voted who wish? Have all voted who wish? Have all
16. voted who wish? Have all voted who wish? Take the record.
17. On that question the Ayes are 33, the Nays are 22, none Voting
18. Present. House Bill 766, having received the required constitutional
19. majority is declared passed. House Bill...House Bill 811.
20. Read the bill, Mr. Secretary, please. Senator McLendon is...is
21. recognized. Senator McLendon. Senator McLendon asks leave
22. of the Senate to return House Bill 811 to the Order of 2nd
23. reading for the purpose of amendment. The Chair is advised
24. that there was a defect in the amendment already adopted. Is
25. there leave? Leave is granted. Senator Carroll.

26. SENATOR CARROLL:

27. Thank you, Mr. President, Ladies and Gentlemen of the
28. Senate. Apparently there was some confusion in trying to
29. get these up and typed and so on and the amendment we adopted
30. as Amendment No. 1 would be defective both in terms of technical
31. and in what we had explained. Amendment No. 3 is the corrective
32. version of that, the long form. And it did, as I had explained,
33. thinking that was the prior one, this is the fourteen percent reduction.

1. I would move adoption of Amendment No. 3.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. All right. No...no...it's just on 2nd. Senator Carroll,
4. it's Amendment No. 6 to reconsider? All right, the bill is on
5. the Order of 2nd reading. Have you received amendments, Mr.
6. Secretary? All right. Senator Carroll has moved the adoption
7. of Amendment No. 6. Is there discussion? Senator Grotberg.

8. SENATOR GROTBORG:

9. Well, thank you, Mr. President, and Ladies and Gentlemen.
10. Can we have enough quiet here, sh. Senator Carroll, now...
11. there's absolutely no confusion, what are you doing?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Carroll.

14. SENATOR CARROLL:

15. I am not eliminating the clarifying language, but rather
16. clarifying the eliminating language. This is the fourteen percent
17. we had discussed, all of us thinking that was what was in the
18. prior amendment, which I guess was three or four, whatever the
19. number was. And so as not to add further destruction to in
20. between, we have gone with what we thought was the amendment
21. we had been explaining before, which again is to provide for
22. clinic and out-patient, to provide for restoration of those
23. other types of services, the podiatric, the optometric, every-
24. thing we have said. By the way of the other amendment.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Grotberg.

27. SENATOR GROTBORG:

28. But what is your more...are you moving to adopt a new
29. amendment? You're not withdrawing this...does it gut everything
30. that you had in it? Now, we are talking about fourteen percent
31. ...we are talking about the...this is the hospital amendment, folks.
32. So, be patient. Just tell us...that's pretty funny. Just tell
33. us what the hell it does this time because we're seeing them over

1. here too late. In general we...we kind of agree, but every time
2. we agree we go out in the hall and we get shot. Now, once more,
3. carefully, and get rid of the silver tongue, just tell us in
4. English this time.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Yes, at ten thirty-six, Senator Carroll, you're recognized...

7. SENATOR CARROLL:

8. Thank you, Mr. President...

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. ...for an explanation.

11. SENATOR CARROLL:

12. ...yes. This will treat you when you get shot, Senator
13. Grotberg, because it will provide that they can do emergency room,
14. they can do out-patient, they will have a...they will have to de-
15. crease the total number of hospital stay days by fourteen percent.
16. We have that six month, nine month provision for recoupment. They
17. have to reach the seven, and...and I guess it was ten, and then
18. fourteen goals with the money coming off for the payments to
19. patients over that amount. And...and providing for the types
20. of surgical changes from in-patient to out-patient that we had
21. discussed before, so that things like...things like circumcision
22. can be done in out-patient, you don't have to be hospitalized,
23. that's one of the examples the department gave me. Allows for
24. clinical treatment, and all of the items we had been discussing
25. all along that we thought was in the prior amendment.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Grotberg.

28. SENATOR GROTBORG:

29. Thank you...be patient folks. What else is in it now, did
30. you...did you redo the...the amendment that I put on, reasonable
31. cost, eight percent? Is it all in one amendment?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Carroll.

1. SENATOR CARROLL:

2. As I...let me check that. That is supposed to be in my
3. next amendment, and not within the terms of this. The eight
4. percent cap will be the next amendment, which I will offer,
5. or you, whichever. Your copy was presented to your staff some
6. time ago.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. All right. For what purpose does Senator Buzbee arise?

9. SENATOR BUZBEE:

10. Well, just...just to point out to Senator Grotberg. As he
11. indicated earlier, this bill is going to end up in a Conference
12. Committee along with 588, the funding mechanism. And if they
13. are...any of your fears are unallayed, you could at...at that time
14. we can work that out. We're all trying to achieve the same ends,
15. and if we've made any technical mistakes, they can be corrected
16. in the Conference Committee, I think. And we're not trying to
17. undo you, because we're with you. We're trying to get at the
18. same thing, and we're just trying to figure out who's lying the
19. most, I guess, and...and we're...it's not us and it's not you,
20. and let's roll it.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Schaffer.

23. SENATOR SCHAFFER:

24. Simply put, as you can tell from the milling mob behind
25. me, we have not had a chance to react to the amendment. What
26. we, on this side, are interested in, is a bottom line cut of
27. one hundred and six million dollars. Now, I think I would,
28. for one, be prepared to move the amendments, move the bill, figure
29. it's going to be in Conference, as long as we have some assurances
30. that you, on the other side, are talking about one hundred and
31. six million dollars in real, live, honest to God, put them in the
32. banks, and balance the budget, cuts.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. All right. The motion is to adopt. Further discussion on
2. the motion? All in favor say Aye. Opposed Nay. The Ayes have
3. it. Amendment No. 6 is adopted. Further amendments?

4. SECRETARY:

5. Amendment No. 7 by Senator Grotberg. This is the co-
6. payment one, Senator Grotberg.

7. SENATOR GROTBORG:

8. Right, I have to offer it again, that's the one where the
9. customer pays a dollar, and three dollars. I move the adoption.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion is to adopt. All in favor say Aye. Opposed Nay.
12. The Ayes have it. Amendment No. 7 is adopted. Further amendments?
13. Further amendments?

14. SECRETARY:

15. Floor Amendment No. 8 by Senator Grotberg.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Grotberg.

18. SENATOR GROTBORG:

19. Yes, this is the...my patient cap one of eight percent. I
20. move the adoption.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Discussion? All in favor say Aye. Opposed Nay. The Ayes
23. have it. Amendment No. 8 is adopted. Further amendments?

24. SECRETARY:

25. Amendment No. 9 by Senator Totten.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Totten is recognized.

28. SENATOR TOTTON:

29. Thank you, Mr. President, and Ladies and Gentlemen of the
30. Senate. Amendment No. 9 puts back in the bill what was inadvertently
31. amended out by, I believe, Senator Carroll, in one of the earlier
32. amendments. This is...provides language for the department for
33. a number of different things, including the recovery of lump sum

1. income, some medical co-payment language, providing for monthly
2. reporting which the department would like to do. And for recoupment
3. of overpayments. This language...the department would like to
4. work on, and if we put it into a Conference Committee, some of this
5. language will help us on the access to the system. The amendment
6. was on the bill, but it was taken off before. And I would seek
7. a favorable vote.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Discussion? The motion is to adopt. Discussion? Senator
10. Carroll.

11. SENATOR CARROLL:

12. Thank...thank you, Mr. President, and Ladies and Gentlemen
13. of the Senate. We, of course, rise in vehement opposition to
14. this. I think all sides have been working in relative good faith.
15. This tries to undo all of those actions, and actually as I think
16. was said before, would actually harm the system, harm the party
17. that the mover is supposed to be representing. And is one of
18. the most inhumane things we have seen. We would urge its defeat.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Grotberg.

21. SENATOR GROTEBERG:

22. Only to rise in support of the amendment. If we're going to
23. put cannon fodder in this machine gun that we're sending out to
24. Conference, let's keep the good stuff in too. I hope we all...
25. could all vote for it.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The question is on the adoption of Amendment...Senator Hall.

28. SENATOR HALL:

29. Thank you, Mr. President, and Ladies and Gentlemen of the
30. Senate. What I want to say is, that I hope we oppose this, because
31. a while ago he put those co-payments on that thing. While...a
32. lot of things are slipping by us, if we don't pay some attention here.
33. We ought to vote against this.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The motion is to adopt Amendment No. 9. On the motion to
3. adopt, all in favor say Aye. Opposed Nay. Opinion of the Chair,
4. the Noes have it. Further...further amendments?

5. SECRETARY:

6. No further amendments.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Totten.

9. SENATOR TOTTEN:

10. Roll call.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. At twenty minutes to eleven?

13. SENATOR TOTTEN:

14. Yes.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. All right. Let's have a roll call. Those in favor vote Aye.
17. Those opposed vote Nay. The voting is open. Have all voted who
18. wish? Have all voted who wish? Have all voted who wish? Take
19. the record. On that question, the Ayes are 29, the Nays are
20. 27. Amendment No. 9 is adopted. Further amendments?

21. SECRETARY:

22. No further amendments.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. 3rd reading. House Bill 972. Read the bill, Mr. Secretary,
25. please.

26.

27.

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33.

(END OF REEL)

1. SECRETARY:

2. House Bill 972.

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Carroll 972. Legislative district allowance.

7. Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President and Ladies and Gentlemen of the
10. Senate.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Carroll.

13. SENATOR CARROLL:

14. Thank you, Mr. President and Ladies and Gentlemen of the
15. Senate. This bill, as it now sits, would raise the office
16. allowance to twenty-two thousand dollars. This was after...
17. just several members have asked me to spend two or three minutes
18. to put into the record how this was arrived at and we went
19. through Administrative Services, found out what they have
20. allowed in percentage changes since the last time our office
21. account was raised for the types of expenses that we use our
22. office accounts for, namely rent, stationery, utilities,
23. secretarial, phone, stamps,...et cetera. And we also computed
24. in how much is lapsed every year by members of the General
25. Assembly and deducted from what would have been that increase
26. in just raw percentages the amount of the lapse. It came out
27. to about twenty-one nine seventy something, we rounded it to
28. twenty-two hundred because of the lapse. If we had not put
29. in the lapse, we would have been about twenty-three thousand
30. and that's why we have it at the twenty-two thousand. We dis-
31. cussed earlier the per diem within the Federal guidelines and
32. less than what it was supposed to have been and I would ask for
33. a favorable roll call.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Discussion? Senator Rhoads.

3. SENATOR RHOADS:

4. Thank you. I...I rise in support of House Bill 972 and
5. I just want to point out to the coalition for political
6. honesty, wherever they may be, that I introduced a bill for
7. forty-four dollars per diem and nineteen thousand on the
8. district office allowance and a four thousand dollar pay
9. raise and got roasted for us. The General Assembly, in
10. fact, is...approving increases far beyond that and a pay
11. raise commission and these nincompoops don't even know what's
12. going on, but I'm going to vote for this because it's a
13. good bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Further discussion? Senator Schaffer.

16. SENATOR SCHAFFER:

17. Well, I'm going to rise in support of this too. And I
18. ...I guess I'm speaking a little bit to the press. I'm always
19. a little disappointed with the press, who, I think, by and
20. large probably treat us better than we deserve, but on this
21. subject they always tend to leave our constituents with the
22. impression that we come down here on January the 1st and
23. walk home with a briefcase with seventeen thousand dollars in
24. small unmarked bills, which is just not the case. Not one
25. dime of that office allowance increase goes to us. It's to
26. pay bills, for our secretaries in our district offices, for
27. postage stamps...or our constituents who are unhappy with the
28. way we voted. We have not increased this since, I believe,
29. 1974. When I campaigned last year, I did two things...right
30. up front. I said I thought we might need a gas tax increase
31. because of the conditions of the roads and I told my people
32. out front that I felt some adjustment in the office allowance
33. was in order. I've reviewed Senator Carroll's figures on the

1. increase since 1974. I can't even remember what a stamp cost
2. in 1974. I think they've increased it four times. My rent
3. has gone up, in all candor, I've lost a couple of very good
4. secretaries because the salaries we're forced to pay are just
5. not competitive, probably going to lose another one, and...
6. I think that district office is important to my constituents
7. and I think this is something that should pass. I've been
8. very up front with my people on this. I think it's something
9. that's good and I hope the press would...look at it somewhat
10. objectively.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. At fifteen minutes till eleven, the Chair has
13. Senator McMillan, Grotberg, Berman, and Hall and Marovitz.
14. Senator McMillan.

15. SENATOR MCMILLAN:

16. Mr. President and members of the Senate, Senator Schaffer
17. was absolutely right...

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. May we have some order please. Senator McMillan.

20. SENATOR MCMILLAN:

21. ...Senator Schaffer was absolutely right about the need
22. for additional money in district office allowances if
23. we're going to provide any kind of service to our constituents,
24. but the problem is the bill was amended, and I hope the press
25. is listening, to increase the per diem for every Legislator
26. here from thirty-six dollars a day to forty-eight dollars a
27. day. We took a damn good, damned important bill and ruined
28. it and I don't know how anybody in their right minds, when
29. we're cutting back on people and public aid and we're making
30. all the other kinds of cuts that this Body is saying needs to
31. be made,...I don't know how anybody can stand up and go back
32. home and tell people you had to cut money for services to them,
33. while we increased our per diem from thirty-six to forty-eight

1. dollars a day. It was a good bill, but it's now bad.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Hall.

4. SENATOR HALL:

5. Thank...thank you, Mr. President and Ladies and Gentlemen
6. of the Senate. I rise in support of this and I...I just want
7. to caution the press to be sure and caution when you read that
8. and print it, it's not passed into law until the Governor has
9. signed it. Now, when I read about all the pay raises we get,
10. have you ever stopped to think, the press pays no rent here.
11. If they had to pay rent and for all the services that they get
12. around here, maybe they would realize that you need a...a
13. raise sometimes. So, if they want to write something, let
14. them write that.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion? Senator Marovitz. Senator Marovitz.
17. The question is on the adoption of House Bill...Senator Carroll,
18. do you...the question is, shall House Bill 972 pass. Those
19. in favor vote Aye. Those opposed vote Nay. The voting is
20. open. Have all voted who wish? Have all voted who wish? Have
21. all voted who wish? Take the record. On that question, the
22. Ayes are 28, the Nays are 25, none Voting Present. House Bill
23. 972 having failed to receive the required constitutional majority
24. is declared lost. 1353, Senator Davidson. Read the bill,
25. Mr. Secretary, please.

26. SECRETARY:

27. House Bill 1353.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Davidson.

32. SENATOR DAVIDSON:

33. Mr. President and members of the Senate, this bill was

HB 1789
3rd Reading

1. thoroughly debated when we had it back for amendments awhile
2. ago. It has to do with the School Formula funding a floor
3. of 1552. 52 dollars weighting on Title I and Title...at 8.65.
4. I move a favorable roll call.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The question is, shall House Bill 1353 pass. Those in
7. favor vote Aye. Those opposed vote Nay. The voting is open.
8. Have all voted who wish? Have all voted who wish? Have all
9. voted who wish? Take the record. On that question, the Ayes
10. are 49, the Nays are 3, none Voting Present. House Bill 1353
11. having received the required constitutional majority is de-
12. clared passed. House Bill 1789. Read the bill, Mr. Secre-
13. tary, please. Senator Newhouse, this is your bill.

14. SECRETARY:

15. House Bill 1789.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Newhouse.

20. SENATOR NEWHOUSE:

21. This is the ambulance bill. I ask for a favorable roll
22. call.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? Is there discussion? The question
25. is, shall...Senator DeAngelis.

26. SENATOR DEANGELIS:

27. Is this...is this the one that has the exemption for...
28. the Municipal League? I would urge a No vote.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question is, shall House Bill 1789 pass. Those in
31. favor vote Aye. Those opposed vote Nay. The voting is open.
32. Have all voted who wish? Have all voted who wish? Have all
33. voted who wish? Have all voted who wish? Take the record.

1. On that question, the Ayes are 33, the Nays are 15, 3 Voting
2. Present. House Bill 1789 having...received the required
3. constitutional...majority is declared passed. House Bill 1812,
4. Senator Davidson. Read the bill, Mr. Secretary, please.

5. SECRETARY:

6. House Bill 1812.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Davidson.

11. SENATOR DAVIDSON:

12. Mr. President and...it does exactly what it says on the
13. Calendar, except the one part that had to do with human rights
14. with the mistake that we Tabled that amendment. Appreciate a
15. favorable roll call.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The question is, shall House Bill 1812 pass. Those in
18. favor vote Aye. Those opposed vote Nay. The voting is open.
19. Have all voted who wish? Have all voted who wish? Have all
20. voted who wish? Take the record. On that question, the
21. Ayes are 52, the Nays are 1, none Voting Present. House
22. Bill 1812 having received the required constitutional majority
23. is declared passed. Two bills were called back from defeat,...
24. House Bill 536 is on page 5 of your Calendar under the sponsor-
25. ship of Senator Weaver. Read the bill, Mr. Secretary, please,
26. a third time.

27. SECRETARY:

28. House Bill 536.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Weaver.

33. SENATOR WEAVER:

1. This is the appropriation to the Governor. Appreciate
2. a roll call.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The question is, shall House Bill 536 pass. Those in
5. favor vote Aye. Those opposed vote Nay. The voting is open.
6. Have all voted who wish? Have all voted who wish? Take the
7. record. On that question, the Ayes are 48, the Nays are 3,
8. 1 Voting Present. House Bill 536 having received the required
9. constitutional majority is declared passed. On page 7 of
10. your Calendar is House Bill 852 under the sponsorship of
11. Senator Bloom. Read the bill, Mr. Secretary, please.

12. SECRETARY:

13. House Bill 852.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. That was the 3rd reading of the bill. Well, Senator,
18. we've read it at least three times. Senator Bloom.

19. SENATOR BLOOM:

20. Thank you. This bill...appropriates the FY '82 budgets
21. of the Judicial Systems and the Attorney General. Attorney
22. General, 16.7 million,...the court system is 74.5 million for
23. a total of 91.2 million.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Okay. Discussion? Senator Carroll.

26. SENATOR CARROLL:

27. Well, once again, Mr. President, I had asked the sponsor
28. to bring it back to attempt to offer an amendment and I have
29. assumed by his action he has refused. I cannot support it.
30. I would hope that many others would not. I think he is now
31. intruding into another area that...we have never given him
32. the...substantive authorization so to do and I don't think we
33. should be appropriating money for that purpose. And I would

1. urge opposition to it.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Further discussion? Senator Gitz.

4. SENATOR GITZ:

5. I have a question of the sponsor.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Indicates he will yield.

8. SENATOR GITZ:

9. I assume that the Attorney General's budget, in its
10. present form, includes what was formerly the Governor's
11. Office of Consumer Affairs?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Bloom.

14. SENATOR BLOOM:

15. Yep.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Gitz.

18. SENATOR GITZ:

19. And I assume by the fact that...we're unable to bring
20. this bill back...that we are going to insist upon trying to
21. cram that into that agency despite the fact that those people
22. don't want to be there and they probably would be better
23. served in the Governor's Office. Is that right too?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Bloom.

26. SENATOR BLOOM:

27. Half right, except for the editorializing. This was fully
28. debated on 2nd reading and the amendment was offered to take
29. it out and put it back in the Governor's Office and the amend-
30. ment failed.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further discussion? Senator Gitz.

33. SENATOR GITZ:

1. Well, I'd merely point out, I don't think the Attorney
2. General's Office is the proper place for that. I think in
3. a way you can make a good case. It's, in effect, a conflict
4. of interest and that is the only reason I'm not going to sup-
5. port this bill.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Rock.

8. SENATOR ROCK:

9. Well, I...I just, frankly, think it's unfortunate that
10. the Senator is petulant enough not to have called it back.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator...Senator Bloom.

13. SENATOR BLOOM:

14. Well, we've seen a lot of the process being abused on
15. recalls today. Now, we extensively debated the issue of
16. where the public utilities witnesses and that matter yester-
17. day. There was an extensive Floor fight. I would suggest
18. maybe that the petulance lies with the leadership on the
19. other side, but that is not the case. However, I would just
20. ...I would just put the remarks to...the lateness of the hour.
21. I think that...the issue...really is...to...pass the budget...
22. for the Judicial System and the Attorney General's Office.
23. I...I don't see any...any substantive reason for not so doing
24. and I would ask everyone here to cast an Aye vote.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The question is, shall House Bill 852 pass. Those in
27. favor vote Aye. Those opposed vote Nay. The voting is open.
28. Have all voted who wish? Have all voted who wish? Have all
29. voted who wish? Have all voted who wish? Take the record.
30. On that question, the Ayes are 34, the Nays are 4, 7 Voting
31. Present. House Bill 852 having received the required con-
32. stitutional majority is declared passed. One bill we have
33. not considered yet this evening is House Bill 811. Is there

1. leave to return to that? House Bill 811, Mr. Secretary,
2. please.

3. SECRETARY:

4. House Bill 811.

5. (Secretary reads title of bill)

6. 3rd reading of the bill.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator McLendon.

9. SENATOR MCLENDON:

10. Yes,...Mr. President and members of the Senate, this bill
11. permits the Illinois Department of Public Aid through its
12. child and spouse support unit to enter into agreements with
13. the Secretary of Health and Human Services or his designee
14. under which the services of the Federal Parent Locator
15. Service are made available to the State of Illinois and the...
16. the Illinois Department of Public Aid. The Illinois...Depart-
17. ment of Public Aid is in support of the bill. I'd appreciate
18. a favorable vote.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? The question is, shall House Bill
21. 811 pass. Those in favor vote Aye. Those opposed vote Nay.
22. The voting is open. Have all voted who wish? Have all voted
23. who wish? Take the record. On that question, the Ayes are...
24. 50, the Nays are 2, 1 Voting Present. House Bill 811 having
25. received the required constitutional majority is declared
26. passed. I think that...concludes the passage of bills. The
27. Secretary has a few matters he would like to straighten up.
28. Messages from the House.

29. SECRETARY:

30. A Message from the House by Mr. Leone, Clerk.

31. Mr. President - I am directed to inform the Senate
32. the House of Representatives concurred with the Senate in the
33. passage of bills with the following title, together with House

1. amendments:

2. Senate Bills 231, House Amendment 1; 235, House
3. Amendment 1;...310, House Amendment 1; 313, House Amendments
4. 2 and 5; 326, House Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10,
5. and 11; Senate Bill 431, House Amendment 5; 606, House Amend-
6. ment 3; 654, House Amendment 1; 731, House Amendment 1 and 2;
7. 764, House Amendment 1; 955, House Amendments 1, 2, and 9;
8. 957, House Amendment 1; 1073, House Amendment 1; 1081, House
9. Amendment 2; 1104, House Amendment 2, 3, and 4; 1119, House
10. Amendment 1; 1173, House Amendments 1 and 2; 1201, House Amend-
11. ments 1 and 2.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Secretary's Desk, Concurrence. Senator Weaver, for what
14. purpose do you arise?

15. SENATOR WEAVER:

16. Mr. President, I move we adjourn till Saturday, June the
17. 27th at ten o'clock.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Well, we have a couple of...other matters. Senator
20. McLendon has one...one bill that he's just called to the
21. Chair's attention that I have inadvertently failed to get to.
22. 1033 is still on 3rd reading. It is on the Order of 2nd
23. reading. You may recall that bill was left on 2nd but read
24. a second time and it can be passed today. It's on page 10
25. of your Calendar. For what purpose does Senator Grotberg arise?

26. SENATOR GROTBORG:

27. Parliamentary inquiry, Mr. President...or a point of order.
28. Are any of those public aid amendments that were going to be
29. put on there on there or was it just moved to 2nd and left
30. there...is it the original bill and nothing else?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator McLendon, there's a question whether any...

33. SENATOR GROTBORG:

1. It was a vehicle bill for weeks and...and 811, I believe,
2. took care of all that, but...

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator McLendon, have any amendments been added? That's
5. the question.

6. SENATOR MCLENDON:

7. No, Sir. This...this is...I'm talking about 1033 read
8. a second...time. 811 is finished.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further...it had...the bill has not yet been read a third
11. time. It's not before it yet...before us yet. It's on 2nd
12. reading and we need to read it a third time. So, Senator
13. McLendon has waited patiently on this bill. Can we handle
14. this one last bill and get out of here, it's eleven o'clock?
15. For...for what purpose does Senator Nimrod arise?

16. SENATOR NIMROD:

17. Mr. President, this bill is on 2nd reading. I think
18. there's some amendments on the Secretary's Desk.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Alright. The Secretary indicates there's a lot of amend-
21. ments. We're...we're going to take care of those. Alright.
22. On the Order of House Bills 2nd reading is House Bill 1033.
23. Are there amendments, Mr. Secretary, please? The bill has
24. been read a second time already.

25. SECRETARY:

26. House Bill 1033 was read a second time on June 25th.
27. Committee...the Committee on Public Health, Welfare and
28. Corrections offers two amendments.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator McLendon on Amendment No. 1. Senator Carroll,
31. you've also been working with 811. There are two committee
32. amendments on this. Can we...can you or Senator McLendon
33. explain the committee amendments? Senator McLendon.

1. SENATOR MCLENDON:

2. Will you hold this bill, please? Take it out of the
3. record.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Alright. We'll just leave it on the Order of 2nd reading,
6. Senator. Now, Senator Weaver.

7. SENATOR WEAVER:

8. I renew my motion, Mr....President.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The...motion is to adjourn until ten o'clock tomorrow
11. morning. On the motion to adjourn, is there discussion?
12. All in favor say Aye. Opposed Nay. The Ayes have it. The
13. Senate stands adjourned till the hour of eleven...ten o'clock
14. ...ten o'clock tomorrow.

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